

Public Administration

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Austen Chamberlain

By Lord EUSTACE PERCY, M.P.

OURS is a generous country. However we may criticise our public men, we respect and are grateful to them; and, when they go from us, we do our best to show our respect and express our gratitude. But, in such ceremonial farewells, the note of personal affection is rare. When it is heard, the listener may well take notice. Never, perhaps, has it been so clearly heard as in the recent public tributes to Austen Chamberlain. And there is a special reason why that note should dominate the tribute paid to his memory by the Institute of Public Administration.

The Institute remembers its late President¹ as, in a peculiar sense, the representative of the British political tradition. And we know that what matters most in that tradition is its conception of "public spirit." Public duty can never be the same as private. Where that dualism is not recognised, there can be neither freedom nor justice; but, while more logical peoples have accepted it as a principle to be defined, Englishmen have regarded it rather as an evil to be minimised. To us *raison d'état*, like temptation, is a platitude which no responsible person will plead in defence of his actions. We cling to the belief that the dualism which cannot be reconciled in thought can and must be reconciled in life. The sort of integrity we demand of our statesmen and our administrators is an integration of private with public honour.

Austen Chamberlain was, above all, the embodiment of that integrity. He once said that his only conception of diplomatic negotiation was to lay his cards on the table. That is almost a description of his career, the explanation of his honourable successes and of his still more honourable failures. In public and in private life his cards were always on the table, and he would play only with the one pack. His most obvious cards, the trumps he seemed most often to declare, were perhaps the old-fashioned ones of the gentleman's code: loyalty to his Prime Minister, insistence on resignation under public censure, mediation by straight dealing. He played these with the old sense of good form in action, with the

¹ President, 1927-1936.

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old grand manner in public speech. But these alone did not represent the real strength of his hand. He was acutely sensitive to the characteristic moralities and charities of Englishmen. He was a social reformer, not only on public principle, but by private sentiment. And he was not afraid of being sentimental. Few men who have jumped young into the highest office have had the same feeling for the "social services" as he. Especially, perhaps, he had an understanding passion for education. The word is not too strong; his own ideal of conservatism was a "passionate moderation." He loved to show that quality in talk with young men and to arouse it in them. In his most difficult days, when the young men of his own party were in half-revolt against his leadership, no one could discuss their grievances more sympathetically in private or offer them more tolerant advice.

It was this mind in him, fortified by long experience, that gave him his acknowledged grasp of British Parliamentary Government. Others have known its rules and conventions as well as he; but none in our day has so entered into its spirit. He did not approve it detachedly; it was his natural climate; he lived and rejoiced in it. The climate was determined by certain factors which must be preserved at all costs; but, given these, it was a temperate climate affording the fullest scope to activity and innovation. Of these factors, the two crucial ones were the relation of Member to Elector and of Minister to Civil Servant. In these two were focussed all the problems of legislature and executive, of the respective functions of Crown, Cabinet and Parliament. Characteristically, he thought of both as personal relationships. Without some real personal touch with individuals, a Member of Parliament could not honestly claim to represent his constituents; where, as in India, such touch was impossible, honesty (the private virtue transmuted into public policy) must acknowledge the need for indirect election. Again, without intimate give and take between Minister and permanent official, neither could discharge his proper responsibility: the Minister for what to do, the Civil Servant for how to do it. That distinction was, in the last resort, clear; upon its maintenance rested the whole structure of government; but it must allow for every gradation of advice and argument before the final issue was reached. More personally still, the two were guardians of each other's honour; the Minister must make promises which the official must fulfil; the official, publicly criticised, must be defended by the Minister's admission of responsibility and purged, in the last resort, by the Minister's resignation.

Of course, these are commonplaces, but they are commonplaces only in England, and there only by grace of men like Chamberlain

Austen Chamberlain

who are not ashamed to live by them. In these days when it is our fashion, both in government and in business administration, to talk much about technique, there is more than a little danger that they may be forgotten. Chamberlain commanded all the old technique of politics; he was interested in all the new. But he put technique in its right, its subordinate, place. Efficiency is the easiest of the public virtues; human sincerity the most difficult. Representativeness and responsibility are the two fundamental understandings upon which the British people are governed. They are our *flammatia moenia mundi*. Are they realities; can the Member of Parliament speak for the people; does the Minister mean what he says when he tells Parliament: "this was done by my orders"? It was upon these tests that Chamberlain insisted; and it was because, throughout his public life, he had consistently measured his own conduct by them, that he was acknowledged, at his life's end, in the real though not in the formal sense, as the father of the House of Commons.

Integer vita—it is only the trite words that fit. There are many paths to fame; but greatness belongs only to the whole-hearted.

PUBLIC ENTERPRISE

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Ownership and Control
in Great Britain

*Edited for The
New Fabian Research Bureau*

by

William A. Robson

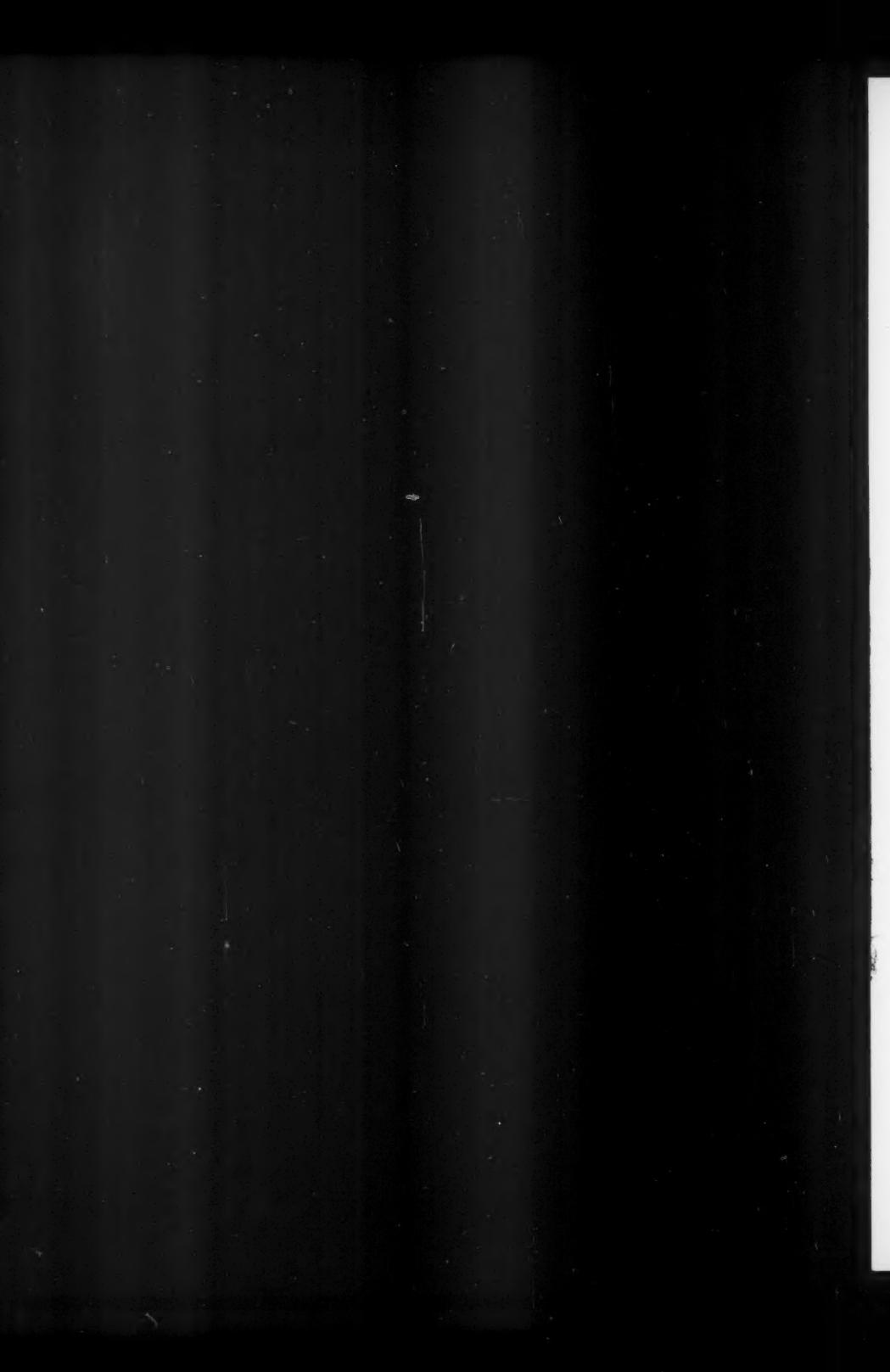
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by G. Walworth, Agricultural Organizer, Co-operative Union.
- XI. THE PUBLIC SERVICE BOARD: GENERAL CONCLUSIONS
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A Day in the Life of a Public Analyst

By H. E. Cox, Ph.D., D.Sc. (Lond.), F.I.C.

Public Analyst for the Metropolitan Borough of Hampstead and the County of Cornwall

[*Paper read at the London Winter Conference of the Institute of Public Administration, February, 1937*]

I UNDERSTAND that at this morning's session this Conference desires to direct its attention to the "unusual" in public administration.

"Unusual," means not often occurring or not often observed. I have been wondering exactly why the Public Analyst is unusual; when I go to the Society of Public Analysts I find scores of others who seem very ordinary sort of people—not at all unusual. They are, however, unusual in certain respects; made so by Acts of Parliament. Early in the nineteenth century there was great interest in the subject of food adulteration; it was then very rife and there is little doubt that not infrequently people were poisoned by the gross sophistication then quite common. One writer remarked that even bread was a crutch to help us onward to the grave instead of being the staff of life. A very interesting Chemist—Frederick Accum—published a small volume which has become quite historic, under the name of "Death in the Pot" or more fully "A Treatise on the Adulteration of Food and Culinary Poisons, exhibiting the fraudulent sophistication of Bread, Beer, Wine, Spirituous Liquors, Tea, Coffee, etc." This volume was followed by several others, in some of which colour and imagination were not lacking. As a result of agitation at that time *The Lancet* set up a commission to investigate the condition of food in and around London. Under the guidance of Dr. Hassall, who had great skill as a microscopist, startling revelations followed. Parliament appointed a Select Committee, and in 1860 the first Food and Drugs Act was passed and Public Analysts came officially into being.

The 1860 Act was not at all successful; in 1872 another Act was passed and a third in 1875. This latter was in force for more than

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50 years, being only superseded by the Food and Drugs (Adulteration) Act of 1928. Under the 1875 Act every County Council, Metropolitan or County Borough Council had to appoint a Public Analyst. Other boroughs having separate Police establishments could make separate appointments if they so desired. The primary duty of the Public Analyst so appointed was to analyse samples of food and of drugs submitted by his appointing authority and issue a certificate showing whether or not it was genuine. Parliament in its wisdom set certain restrictions on the appointments of Public Analyst and granted him certain privileges. The Public Analyst must produce evidence of competent knowledge, skill and experience in chemistry, therapeutics and microscopy, and he must not be engaged directly or indirectly in any trade or business connected with food and drugs in the area with which he is concerned. Persons having the requisite skill were difficult to find in 1875; food chemistry was almost non-existent. The Public Analyst so appointed is, I believe, the only person who is entitled by law to give written evidence in court cases, for it is provided that his certificate in proper form is sufficient evidence of the facts therein stated unless the other party require him to be called as a witness. A similar provision has been made in respect of the Public Analyst in relation to the new Poisons and Pharmacy Act.

Well, having got the Public Analyst duly appointed, let me say a little of how he spends his day. The conditions of appointment vary widely in different districts, so as time does not permit of a wider survey, let me describe what happens to me in a day.

First, I have to own and control a laboratory equipped with a wide range of chemical and physical apparatus and instruments of precision, and with an extensive library of books on chemistry, pharmacology, microscopy, toxicology, water supply, pharmacopœias and records of legal cases, and works on the constitution of all kinds of foods and other commodities. Having dealt with a miscellaneous correspondence, all samples received are entered in a sample book with particular notes as to marks and seals; each is assigned a number by which it will afterwards be known and filed; then I decide what must be done with each, and give instruction to my assistants for some and reserve others for more personal attention. Let me describe a few.

An inspector arrives with a batch of foods; these will include, say, some samples of milk, butter, cheese, tinned fruits and various drugs. Of the milks one will be below standard and the analyst must decide whether this is due to low quality or to watering. One then determines the freezing point by means of a very precise instrument which shows that it is, say, $-0.487^{\circ}\text{C}.$, i.e., just under half a degree

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below that of water. Genuine milk, even if of poor quality, never shows a freezing point higher than -0.5° , so added water is indicated and the amount may be calculated from this and other data. The butter may contain besides margarine, artificial flavours such as diacetyl or dyes. If these are present one must investigate them to decide whether or not a prohibited or harmful colour has been used. The tinned fruits must be searched for preservatives—always including the new ones which have been introduced recently, besides the old favourites. Then one must determine whether the amount of metallic impurity present is quite harmless or whether excessive. The certificate which the Act says must be issued says “I am of opinion . . .” so it is the opinion of the analyst which matters and must be formed after adequate exploration of the facts.

While this is going on a police sergeant calls with an unwelcome bag—he has perhaps part of the mortal remains of some unfortunate who it is thought may have died of poison. This must, of course, be attended to personally and without delay; it is a difficult and somewhat unpleasant task of much responsibility. One never knows when what may seem to be a simple case without complications may develop into a criminal charge or even a *cause célèbre*. Often there may be submitted with the suspected poison case a bottle of medicine or a packet of pills. These too must be investigated and may present an analytical problem of great difficulty. It will be remembered that new and potent drugs are continually being put on the market: the Analyst must be prepared to identify or even determine them quantitatively if that be possible. He must therefore be a scientist who keeps his chemistry and other subjects well up to date and who has experience of the methods of research so that he can apply the latest knowledge to the newest problems.

The telephone bell rings. Messrs. Dash & Blank sent a specimen of China Wood Oil the day before yesterday and want to know why they have not received my report. Answer: the matter is now under consideration but the heat test is somewhat abnormal; the report will be ready to-morrow. Will I please give particular attention to the possibility of the presence of a small quantity of soya bean oil in it; Messrs. Daub & Co., Varnish Manufacturers, to whom it was sold, have rejected it on the ground that, upon being heated, it does not form a jelly properly and an arbitration will take place next Wednesday; will I please attend to give evidence. I return to my bench: a messenger arrives: will I send someone to take samples of some cocoa beans which are being discharged at No. Z. Wharf: they are thought to be sea-water damaged. I arrange this. Presently the specimens arrive—damp and mouldy: is it sea-water damage, fresh water, or inherent vice?

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During the afternoon a solicitor's clerk arrives accompanied by a lady and a parcel. The story and the parcel are unfolded and, behold, a lady's coat; she wore it and subsequently had a rash on her neck. Her doctor thinks it is a dye dermatitis. Will I examine the garment and report. Here is a nice problem, too. If it be a fur the number of dyes possible is large, but if it be a silk or wool garment the number of dyes possible is legion, and there are probably more than one present. These and their reduction products must be identified and their properties considered in the light of experience of their action on the skin.

Later I must attend a conference with Mr. Brutus, K.C., to discuss the details of the river pollution case which is coming into the Chancery Court to-morrow morning. I have made a long investigation of this river and all the waters flowing into it and must explain to learned Counsel the technicalities of water analysis, the meaning of Biological Oxygen Demand and of the Recommendations of the Royal Commission on Sewage Disposal in relation thereto. It is getting late, but I must hurry back to the laboratory to attend to the wet oxidation process which I had started on the stomach content in the morning; also in the incubator are some bacteriological cultures started yesterday from some suspect canned fish; these are due to be taken off and examined to-day and the necessary confirmatory tests must be put down. My secretary tells me that Inspector Sharp, of the . . . County Council, has seen a new hair dye in a shop, and thinks it may be in contravention of the Poisons and Pharmacy Act so he has sent a bottle of it. My heart sinks a little; para-phenylenediamine I know well and its salts, but what new substitution product is this which just escapes the Act. The analysis will be most difficult—interesting indeed but puzzling and no mistake is to be thought of. The quantity of material is small and it oxidizes in the air to a black sticky substance having no definite melting point or diagnostic feature; I also learn that two samples of crude glycerine have come in for assay and the parcel of 100 tons sails on the s.s. Marathon on Friday, so the certificates are required not later than Thursday. One of the cheese samples received this morning has been found to have a very low fat content so the ratio to the protein must be examined to see whether it is a product of skimmed milk or of whole milk, and one of the milks which was supposed to be Pasteurised T.T. Milk has been found to fail to pass the methylene blue reductase test so this must be repeated at once as a precaution against error.

A letter arrives from a merchant with several tins of condensed milk which he says have been held up by the Customs for non-compliance with the Regulations; the factory says it is quite all right

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and normal. This must be looked into with care and I find (subsequently) that the milk has undergone some unusual change in its sugars so that its analysis calls for special methods which have been worked out for such cases.

Lastly, I must sign a batch of certificates and reports; some will be just simple statements of fact or figures, others will be long and reasoned. Then instead of retiring to the fireside at home, there will often be chemical committees on analytical methods, or meetings of one or other of our Societies for the discussion of scientific papers. During the last stage one day a woman came in with a packet of ? coffee in a paper bag—she thought it might be mixed with something. Yes, said I, certainly I can test it; the fee will be 10s. 6d. What! said she, I thought you were the Public Analyst. Anyway it only cost 2d. Exit.

A Day in the Life of a Sanitary Inspector

By A. H. WALKER

Sanitary Inspector and Housing Inspector, Metropolitan Borough of St. Pancras

[*Paper read at the London Winter Conference of the Institute of Public Administration, February, 1937*]

IT is somewhat difficult for me to describe a typical day's work because of the great variety of matters calling for the attention of a Sanitary Inspector during the course of a few days. No two Inspectors' work is quite alike, for so concentrated are the Metropolitan districts, that a London Inspectors' work is quite different from that of his colleague in a small provincial town, or of the Rural Inspector in charge of a district comprising many square miles with a small scattered population.

"Drains" and the Sanitary Inspector seem, even now, to run together in most people's minds, but so varied is the work that drains are now really a very small item in an Inspector's work.

My duties commence at nine o'clock with attendance at the office for about an hour. Generally this is my busiest hour, and my first spot of work is to write up the previous day's work in my diary or journal. I enter a short description of all calls made, inspections and work done. This is by no means accomplished without interruption.

I may be called upon to interview Mrs. Jones, who states that she has seen a rat as big as a cat in her rooms. What am I going to do about it? What she really wants and expects is for me to leave everything at once and catch it for her. The way some members of the public act in this respect is wonderful. I might be a Pied Piper or at least a professional Rat Catcher. When I tell her that the occupier is the person responsible under the Act, she calms down and the size of the rat rapidly diminishes. However, I promise to call and see if I can help with advice, and back I go to continue my diary.

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My next call is to the telephone; a squeaking feminine voice wants to know if I am the Sanitary man. I assure her that I am one of ten, and after much useless questioning I get her to name the street and premises and find that they are in a district allotted to a colleague.

In all probability the next call will be to the counter to give advice to a builder about the reconstruction of certain house drains; he wants information about the byelaws in force in our district. While this is in progress a telephone call comes to interrupt us; this time it is an architect who wants an appointment to learn our requirements in respect of modernising a large boarding house. He is installing lavatory basins with hot and cold running water in all bedrooms. Incidentally this is quite a common request and I really believe that we shall soon catch up with other countries in this reform. I finish with my builder and then complete my diary.

The correspondence and infectious disease case papers are brought in and sorted out to the different inspectors. I draw a blank on infectious disease, but get an assortment of letters and complaints, and a notification from the Port Authority about smallpox contacts.

Everyone in the public service knows of the amusing letters that come in, and had I known at the time that I should be called upon to give a paper of this character I should have made copies of some of the most amusing letters that come to me, but perhaps a few samples taken from Mr. C. Kent Wright's book¹ may help to enliven my paper.

Butchers have in certain instances to give notice when they intend to slaughter and here is one such notice:—

“ Dear Sir,

Will you please call to-morrow as I want to kill a pig.”

Here is another sample:—

“ Dear Sir,

Will you please be kind enough to let me have two tins of rat poison as my husband will be home on Saturday afternoon.

Your truly.”

and

“ Dear Sir,

Will you please call as there are smells coming,

from Yours truly,
Mrs. Brown.”

A clerk comes in to inform me that the Medical Officer of Health wishes to see me. I find that he has a letter from an owner who has

¹ “ The Lighter Side of Local Government.”

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been served with a notice to do certain work and among other items is the disinfection of some verminous rooms. The owner wants our help with his dirty tenants, and the Medical Officer of Health asks me to go round and read the "Riot Act" to them and give them a lecture on cleanliness and their duty to their landlord as well as to themselves. I promise to do my best. By this time it is between 10 and 10.30 and I go out on my daily round.

My first call is about a smoky chimney in the basement of a large house in one of the old Georgian squares; now let off in rooms. I notice a long row of bells on the door post. I try and sort out the basement and this is what I see on the bell plate: Third floor 4 rings, Second floor 3 rings, First floor 2 rings, Ground floor 1 ring with loud, long or short rings for the various back rooms. The basement tenant is evidently a bit of a wit who thinks the number of rings has been overdone so he has written, "Basement—One large SHOUT," so I do my best to oblige and eventually obtain admission. This inspection having been completed my next call is to interview the dirty tenant, an unpleasant task and one that calls for tact unless one wants abuse, assault or perhaps both. A remark common from this class of individual is that the bugs come from next door, or "Oh, everybody has a few bugs." Experience in previous similar cases helps and we part good friends with a promise that she will do her part to try to keep the vermin down. Promises are cheap, as I know to my cost from past experience with this class of tenant.

I now proceed to investigate another complaint which concerns an aged person who cannot properly look after himself. One of the saddest phases of my work is in dealing with cases of this type. Many people complain out of pity for these poor people who have no relatives or friends, but some are more concerned with the fear that they will set the house on fire as well as themselves.

I have to advise my Medical Officer of Health that the person, the bedding and the room are in a filthy state. Frequently the person is so infirm that he cannot properly look after himself; in fact it is a kindness to make him go into the local authority's hospital, where he will be more comfortable and kept clean and be well looked after. This kind of work is rather distasteful, and really it is very pathetic to see the fight some of these poor souls make to keep their liberty; fortunately they are amply protected by the Law and the Police Court Magistrate, to whom application has to be made by the Medical Officer of Health for their forcible removal where necessary. Before proceeding to take such a step it is my duty to make every possible enquiry with a view to finding their friends before action is taken.

The next work is to water test some new drains in a large block of flats. To do this the lowest outlet on the drain has to be plugged

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off, the whole drain filled with water and this is allowed to stand for a certain period of time. It is my business to see that the joints of the pipes are watertight before allowing the builder to fill in.

Then follows the investigation of a complaint which interests me very much. It comes from a high-class coffee merchant who has found some caterpillars among the coffee beans in his store rooms and wants help and advice. I know that coffee beans are not affected by pests of any kind and it is therefore my duty to find out what they are and where they come from. I get several of the caterpillars in my hands and inspect them in the bright sunshine, and draw on my training as a food inspector to be able to express the opinion that they are the larvæ of the Flour Moth Beetle. On enquiry I find that there is a bakehouse at the rear of this store room and I decide that they have migrated from there. The coffee merchant is advised to send them for identification and advice to the Natural History Section of the British Museum. In the meantime I arrange for the premises to be fumigated.

The Port Authority's notification states that the steamship named thereon, had a case of smallpox develop in Suez, and that the person whose name and address is given was on board and is considered a contact. This person is proceeding to an address in your borough, please take the necessary steps. I call at the hotel and send in my card. At the interview I find out if the contact has been vaccinated or re-vaccinated; also if he was in actual contact with the infectious case on board; if he will be staying in the hotel for the next few days or moving on; if the latter I get his next address. My job now is to keep this person under observation and interest myself in his health during the incubation period. This is one of the methods by which smallpox and similar infectious diseases is controlled and kept out of this country.

The Sanitary Inspector is usually well known in his District and he is frequently stopped in the street by people who pour out their tale of woe, or their hopes and fears.

I hear how Johnnie, who is in isolation hospital with diphtheria, is getting on, and other intimate family details. A very pleasing feature of my work is the way poor people look to me for advice and help. The majority of these people treat me as their friend.

To these poor people I am known by various titles such as the "Sanitary," "The Sanitary Man," or if a little less educated, "The Sanitary Bloke"; all are kindly meant, for they are rarely rude to me.

Investigating overcrowding complaints takes up a considerable amount of my time; in many cases to move people means that they go to overcrowd other houses or districts. Overcrowding is really a serious problem; the social, physical and moral effects are grave to

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us as a nation. The separation of the sexes is another matter requiring careful handling. The operation of the Housing Act passed last year should do much to grapple successfully with these urgent matters.

While walking from house to house, I keep my eyes open on coster-barrows for any doubtful food; again, it may be my duty to take samples of milk for analysis by the Public Analyst. This requires care, especially if fraud is going on. In one case within my experience the milk roundsman could not be caught, although it was known he was delivering milk below the recognised standard. However, we made friends with one of his regular customers and waited inside her doorway until she had paid for the milk, then we stepped forward intending to divide the sample into the customary three parts. But our ruse failed, for, as soon as we were seen, the milkman knocked the jug out of the woman's hand and the sample was lost. In due course however the offender had to pay a heavy fine for obstruction.

Smoke complaints also come in from the public and the London County Council. Watching smoke shafts for the emission of black smoke and grit takes a big slice out of the day's work. A number of points such as density and duration have to be noted and recorded when action in the Court is anticipated.

Another part of an Inspector's work is concerned with underground rooms which are being illegally used for sleeping purposes or are unfit for human habitation. I have to measure up the rooms, window area, take particulars of the occupants, and note the height of the rooms and the width of the areas to enable me to work out the angle of light, etc., when I return to the office next day.

I round off the day's work with calls at various houses to see if certain notices previously served have been complied with, such as paving of yards, repair to rooms, redecoration of dirty rooms, replacements to defective dustbins, etc.

One last word respecting the multitude of matters which the legislative has placed upon a sanitary authority. The Acts, Orders, Regulations and Byelaws one is expected to know seem to be innumerable, but what is worse is that they are constantly being amended, consolidated or being withdrawn and issued in a different form.

But for variety of work and human interest I think my job may be hard to beat.

His Majesty's Coastguard—Its Life-Saving Duties

By Capt. H. J. M. RUNDLE, O.B.E., R.N.
Deputy Chief Inspector, H.M. Coastguard, Board of Trade

[*Paper read at the London Winter Conference of the Institute of Public Administration, February, 1937*]

UNTIL 1923 the primary duty of His Majesty's Coastguard in peace time was that of revenue protection. In that year, following on the recommendation of a Departmental Committee, it became that of life saving; the administration passing from the Admiralty to the Board of Trade—the department responsible by Act of Parliament for providing an organisation for saving life from shipwreck on the coast of these islands. The Naval character of the force has, however, been preserved, although the personnel have been greatly reduced. In addition to the Coastguard there is the Coast Life-Saving Corps, a voluntary body totalling about 5,000, and comprised of all sorts and conditions.

Since the reorganisation in 1923, the policy of the Board of Trade has been to provide for each locality a life-saving organisation and equipment commensurate with its needs. It is not generally realised that the coast line of Great Britain and Northern Ireland totals some 5,000 miles. Some portions are much frequented by shipping and others less so, while the dangers to navigation vary from outlying rocky shoals or rocky ledges under high and, in some cases, almost inaccessible cliffs, to sandbanks. The coast is divided into twelve divisions, each under an Inspector, either a retired Captain or Commander of the Royal Navy. Divisions are sub-divided into Districts under District Officers promoted from the ranks of the Coastguard. Stations are under the charge of Station Officers or Senior Coastguardsmen, according to their importance and number of staff. The Chief Inspector and myself are at the Headquarters at the Board of Trade, and in addition to making between us, annually, a complete inspection of all stations, perform advisory and administrative duties at Headquarters.

The first and most important requirement of a Coast Life-Saving Organisation is an adequate watch to secure, as far as possible, that

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a distress signal from a vessel near the coast is observed. This watch is maintained from huts in commanding positions on the coast, the regular Coastguard being housed at stations as conveniently situated as possible. The degree of watch varies according to weather and sea. A certain number of stations on the more important parts of the coast keep constant watch. These are supplemented at night, in fine weather, by other stations at which watch is kept throughout the dark hours. Should the weather become thick or in any way bad, watch is set at all stations affected. This watch is, normally, set by order of the District Officer, but officers in charge of stations are required to set watch without orders from a higher authority should they consider it necessary. Watch by the Coastguard is supplemented by a look-out at a number of auxiliary stations so disposed as to fill any gaps between Coastguard stations and, on certain parts of the coast, they take the place of full-time personnel. The men who maintain the auxiliary look-out are styled "Watchers" and form part of the Coast Life-Saving Corps, referred to earlier in this paper. They receive regular instruction in such duties, and are paid for the actual hours of watch kept. The Coast Life-Saving Corps has three sections—Watchers, Life-Saving Apparatus Men, and Intelligence. The L.S.A. men form the Rocket Life-Saving Apparatus Companies and receive a small annual retainer together with a payment for each attendance at drill and for turn out for service. The Intelligence Section is composed of persons of either sex who volunteer to assist the life-saving organisations in various ways, e.g., loan of cars in an emergency, reporting vessels in difficulties, persons in danger on cliffs, despatch riders for wreck services, examination of the coast on request of the Coastguard, and so forth. Regular drills are carried out with the rocket life-saving apparatus, and all members of the Companies are instructed in the restoration of the apparently drowned.

The type of life-saving appliances provided differ somewhat according to locality, but time does not permit of going into details. Generally speaking, however, the heavy equipment is used in conjunction with the powerful "Boxer" rocket, made of steel and weighing 16 lb., which can carry a stout line some 400 yards, "Pistol" rockets being employed with the lighter equipment. It should be mentioned that we have a hundred portable searchlights distributed round the coast. The actual life-saving apparatus itself, and the manner of its use, differs little from what it was at its inception many years ago. Transport has, however, been speeded up. While it would not be an economical course to motorise the service, full use is made of local resources in the way of lorries and cars. A

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number of the large wagons have been converted into trailers, and in localities where there are good roads fairly near the coast, local motor lorries are used for conveyance of companies and gear. In the Islands of Jura and Islay we have light apparatus carried by horses on pack saddles.

The members of various companies, the large majority of which are under the command of the Coastguard, are drawn from all classes. Fishermen in Devon and Cornwall; miners in Durham and Northumberland; stevedores in South Wales; local tradesmen in the South, gillies in West Scotland, and so on. All have their idiosyncrasies, but are imbued with the same spirit—a determination should the need arrive to do their utmost to save life. Naturally they require handling according to temperament. The independent Yorkshire man and the talkative West Country man—I can say this, being a Devon man myself—all respond to a smile combined with good leadership, but they cannot be driven. It is always a pleasure to meet these men in the course of one's inspection.

Reference must, of course, be made to the Lifeboat Service. The Coastguard and the Lifeboat Service have a common object—saving life. These two services work in very close co-operation, and it will be appreciated that the activities of the lifeboats depend, in the main, on information received from the Coastguard. There is a healthy rivalry between the Lifeboat and the Rocket Companies, but it is clearly understood that the latter is ancillary to the former and normally comes into action only when the lifeboat cannot approach a wreck sufficiently close to effect a rescue. In some cases where there is both a life-saving apparatus and lifeboat at the same village, all the able-bodied male, and sometimes some of the female population, take part in the rescue measures, either as lifeboat crew, launchers or L.S.A. men.

What happens when a wreck occurs? I will take the imaginary case of Coastguardsman Smith who has just relieved Coastguardsman Robinson at Lonely Point look-out on the rocky coast of Blankshire. Having taken off his soaking oilskins after a walk of one and a half miles against the wind and rain, and having been told by Robinson that nothing is in sight since a drifter passed north half an hour ago, Smith sweeps the horizon with his glasses. He is in complete darkness; the only illumination permitted being an electric torch hung up over the telephone message-pad which he can switch on when required. In common with all look-outs, Lonely Point has an exchange telephone with an inter-communication circuit to the housing station. Presently in the dark and rain he sees a white light, resembling a flare composed of burning rags, etc., no other

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lights being visible to seaward. He says to himself, "She cannot be flaring to attract the notice of other vessels as no other light is visible. My instructions say that if I am not entirely satisfied that the light I see is not a distress signal, I must assume that it is, and take action accordingly. So here goes." First he fires a signal rocket to indicate to the vessel that her plight is observed. This is a matter of a few seconds. Then he rings the housing station where Station Officer Jones has a telephone plugged into a socket beside his bed. On Jones replying, Smith reports, "Vessel burning flares, presumed distress signal one mile east of look-out." To which Jones replies, "Will call out the lifeboat and L.S.A. Company." Jones puts on some clothes, goes out, and with a long bamboo cane taps at the bedroom windows of the men at the station, and then fires three maroons, the signal for both lifeboat crew and L.S.A. Company to assemble, after which he goes to the L.S.A. house and lights the lamps. Meanwhile Smith at the look-out has reported the circumstances to the District Headquarters from where the District Officer sets out in a car with one Coastguard and the searchlight. By this time all the village are awake. The lorry drivers bring their vehicles—one light lorry and a large lorry—to the L.S.A. house, and the gear is loaded, the items required in the first instance being placed in the light lorry. The lifeboat launchers have by now assembled, and the boat has been brought out of its house ready for launching. Smith keeps the housing station constantly informed of developments, and a messenger service is instituted between the housing station and the lifeboat house. Then comes this message from Smith, "Vessel drifting ashore rapidly; think she will strike rocks within a quarter of an hour." Station Officer Jones thereupon despatches the light lorry with the advance gear and sufficient men to operate it; he himself accompanying the party. On arrival at the point nearest the vessel, he observes her flaring again, and judges that she has struck the Otter Rock about 150 yards from the cliff foot, the cliff being about 100 ft. high. He at once orders "action." No. 1 places and adjusts the rocket machine. The line is secured to the rocket, and directly there is a lull in the wind, the Station Officer orders "fire." All watch the rocket, which can clearly be followed by means of its flaming. It is seen to go well to windward, which means that the line will belly down over the vessel, and presently a light is waved from her which indicates they have got the line, upon which they immediately begin to haul. The main gear has by now arrived, and the whip is at once secured to the line upon which those on board are hauling. Next comes another wave of the light from the ship which indicates "Whip fast." The whip being an endless rope running

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through a pulley which has a rope's end attached to it which is made fast at a convenient spot on the vessel. After this the remaining gear—first the hawser, then the breeches buoy—is pulled out by means of those on shore hauling on the whip. A rope ladder, called a cliff ladder, is placed over the cliff edge upon which the men, brought ashore by the breeches buoy, are landed and assisted over the cliff edge by members of the Company. By the time the hawser has been made fast the District Officer will have arrived with his searchlight, and the subsequent operations are carried out by means of its illumination. One by one the crew are brought ashore by the breeches buoy and taken to a nearby farm where hot drinks and food are provided under the supervision of the local agent of the Shipwrecked Mariners' Society. The lifeboat would, of course, have arrived on the scene during the early stages, but seeing that it was a case for rescue by rocket apparatus, she would have laid off and assisted the operations by playing her searchlight on the vessel. All being ashore the gear is then cast off and restowed, and the Company return home after a good night's work. Incidentally, the Board of Trade present a shield to be held for one year by the Company which performs the best wreck service during the preceding year.

So much for what may be called straightforward "Observed" casualties. With the increasing use of wireless, the Coastguard are now confronted with a different type of problem in that they are required to deal with vessels in distress which, although off our coasts, are not in sight from the shore. The value of wireless in connection with life saving from shipwreck is very great indeed. S.O.S. messages from ships are dealt with by the General Post Office Coast Radio Stations. To each of these stations a nearby Coastguard Station is detailed for liaison duties. On receipt of an S.O.S. from a vessel on or near the coast, the Radio Station, in addition to securing that other ships in the vicinity receive the message, telephone it to the liaison Coastguard Station. There it is plotted on the chart and at once telephoned to the appropriate life-saving authorities, who, if the vessel is in danger of drifting on the rocks, endeavour to intercept her with a lifeboat and have the Rocket Apparatus Company on the scene before she strikes. It will be appreciated that the scene of action may be some distance away from the liaison station. Unfortunately, when the need for rapid transmission of messages is the greatest, *i.e.*, in heavy gales, it sometimes occurs that the telephone and telegraph system is seriously dislocated. This is especially the case on the north and west coasts of Scotland. Directly, therefore, the liaison Coastguard Station finds that there will be a delay in getting a life-saving message through to its destination, the officer in charge communicates

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with the nearest B.B.C. station and requests a broadcast. This goes out in the following form: "Vessel in distress (position). Impossible to communicate with Life-Saving Authorities. Will anyone in the vicinity hearing this message convey it to the Coastguard or Life-boat Authorities at (place)." During the recent heavy gales, this procedure has been followed on several occasions. Some of you may have heard the messages.

Whilst on the subject of wireless, it should be mentioned that six Coastguard Stations are equipped with radio telephony, primarily for the purpose of communicating with groups of outlying lighthouses and light-vessels which may be said to be the outposts of the organisation. Other stations have listening sets. With the extension of radio telephony and its use by a large number of fishing vessels, the tendency is undoubtedly towards the Coastguard having a complete listening organisation supplementary to the visual watch. The day has not yet arrived, however, when intercommunication between stations will be by radio telephony, thus obviating the delays caused by breakdowns in landline and cable communication. It is nevertheless a possibility of the future.

Before closing this paper, brief reference should be made to other duties the Coastguard and Coast Life-Saving Corps are called upon to perform—such as rescues of persons and animals marooned on cliffs, cut off by tide, and the restoration of the apparently drowned. Each season provides a crop of these occurrences. A large percentage of the Coastguard are qualified in first-aid, and all have a thorough knowledge of the various methods of restoring the apparently drowned.

Work of the Thames Police

By Chief Inspector J. BROWN

Thames Division (Wapping Station) of the Metropolitan Police

[*Paper read at the London Winter Conference of the Institute of Public Administration, February, 1937*]

TO trace the origin of the Thames Police we must go back to the end of the 18th century when great anxiety prevailed amongst the merchants and shipowners in London, in consequence of a system of piracy practised on the river, resulting in losses of cargoes, estimated at £500,000 per annum. This serious state of affairs was discussed in Parliament in 1796-7.

A year or so later Dr. Patrick Colquhoun, assisted by Mr. Jeremy Bentham, planned and worked out a scheme for policing the river, resulting in the formation of a Marine Police Force which was established under the auspices of the West India Merchants for the protection of shipping on the Thames.

The first Marine Police Office was opened on the 2nd of July, 1798, on the site of the present Police Station at Wapping, now the Headquarters of the Division.

The Marine Police Establishment, consisting of a judicial and marine police department, was under the control of a resident magistrate, Mr. John Harriott, a versatile character, who had followed many and varied professions, including that of a sailor. It appears that the idea of policing the river originated with Harriott.

The personnel of this old Force comprised 1 Chief Surveyor, 18 Surveyors and 114 Constables. It was originally partly an official and partly a private organisation, as the Government defrayed the cost of maintaining the magistrate, clerks and constables, and the West India Merchants provided a number of water police and watchmen, and organised a corps of "lumpers" (or labourers). The members of the Marine Police were recruited from among seamen and watermen—strong hardy men, capable of dealing with the violent type of offenders who frequented the river in those days, and of withstanding exposure to all weathers. Their duties were both arduous and dangerous having regard to the activities of dangerous gangs

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of ruffians who engaged in pillage, plunder and other serious offences on the river. Their efforts were eventually successful in breaking up these gangs, many of whose members were transported.

The Marine Police Force continued operations until 31st August, 1839, when it was incorporated in the Metropolitan Police Force as the Thames Division, the judicial part becoming the Thames Police Court.

The original fleet of 16 galleys and one wherry (in later years, row-boats), and the hulks used as floating stations, have been replaced by mechanised launches and boats and modern buildings (Waterloo Pier, modernised, remaining as the only floating police station).

The river is patrolled by the Thames Police from Teddington Lock in Middlesex to Dartford Creek in Kent (including the creeks and inlets, as well as that part of the river within the area of the City of London), covering a distance of approximately 36 miles or 72 miles of river bank.

The Division has five police stations, which are situated at Barnes, Waterloo Pier, Wapping, Blackwall and Erith. From each station a specified part of the river is patrolled day and night.

There are 202 officers and men (including two C.I.D. officers) attached to the Division with a Chief Inspector in charge, who is responsible to the Commissioner of Police.

The men must have previously served in a Land Division of the Metropolitan Police and, before acceptance, have to pass a test in the management of boats and produce a certificate as to their ability to swim, and with few exceptions have been in the Royal Navy or Merchant Service or employed on the river.

The present fleet, which consists of 3 motor launches and 32 motor boats, is maintained for patrol and supervision duties. These boats, which range in dimensions from 22 ft. by 6 ft. to 36 ft. by 8 ft. 6 in., are equipped with various types of engines, including petrol, petrol-paraffin and compression ignition. With the exception of the latest addition to the fleet, two fast boats with engines of 100 h.p., the engines range in general up to 48 h.p. The larger boats are used in the lower and wider reaches of the river where rough water is frequently encountered, especially during the winter months.

Each launch and boat is equipped with drags, lifebuoys, buoyant cushions, salvage gear, first-aid equipment (including carbon-dioxide resuscitators), in addition to the usual gear required to comply with statutory and port regulations for the navigation of boats.

All repairs to the fleet are carried out by a civilian staff of skilled mechanics, fitters and boat-builders employed by the Police Authorities, in the workshops at Wapping Station.

The system of beats or patrols is similar in principle to that carried

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out on land, the main object being the protection of life and property in ships and barges on the river and wharves on the waterside, by a continuous day and night patrol.

Each boat has a crew of three, comprising a sergeant as coxswain in charge and two police constables who perform duty as engine-driver and deck-hand respectively. Inspectors patrol in boats with a driver and deck-hand for the supervision of a defined part of the river.

Great care has to be exercised by the crews in navigating, particularly at night, as the boats have to patrol between barge-roads where manœuvring is sometimes difficult and dangerous, owing to the strength of tides and eddies.

The C.I.D. officers perform duty afloat whenever necessary, and travel on land keeping observation and making inquiries.

Police have power to stop, search and detain boats suspected of conveying stolen property, and this authority is exercised in all suspicious cases. Particular attention is paid to row-boats observed in use on the river late at night. In order to carry out these and other duties during the night all police boats are supplied with powerful electric lamps for use in searching wharf frontages and craft.

An important part of police work is that of warning shipping of danger caused by sunken ships or barges until the arrival of Port of London Authority's officials with wreck-boats and markings. Any delay in attending to these cases would probably result in serious damage to other shipping, if not loss of life. The usual practice in these cases is for the police boats to patrol near the wreck and signal to shipping to keep clear. Care has to be exercised at night to ensure that ships observe the signals.

With regard to fires on ships, barges and riverside wharves, Thames Police are invariably the first on the scene. Every possible assistance is rendered and the Fire Brigade Authorities immediately informed. Police remain until all danger is past, in order to protect life and property and assist the Fire Brigade. They also, when necessary, acquaint owners and carry out the usual practice of recording particulars.

Although a deal of smuggling was carried on many years ago, the efforts of police and the strict supervision by Customs officials (who are afloat on the river at all times) have succeeded in keeping down this class of offence. The Inspectors in the Thames Police hold a deputation from the Commissioners of Customs and Excise giving them the same power of search, seizure, etc., as the officers of that authority.

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Foreign and British stowaways are occasionally found on ships on the river. They are invariably dealt with by the River Police in conjunction with Emigration officials. Care is necessary in dealing with stowaways as the procedure differs according to the class of ship on which they are found and their nationality.

Various Acts of Parliament and Bye-laws applicable to shipping in general, and to the River Thames in particular, have to be carefully studied by all ranks of the Thames Division in order to be able to detect and deal with cases of over-loading of craft, absence of navigation lights and other offences.

Seeing that 61,000 ships, with a registered tonnage of over sixty-one million and carrying valuable cargoes, arrived at and left the Port of London during 1936; that there are approximately ten thousand barges and about 350 steam tugs licensed by the Port of London Authority and used on the river, and hundreds of smaller craft such as private yachts and motor boats are moored on the Thames, it is clear that alertness on the part of police and up-to-date equipment are necessary.

Wireless, enabling the police afloat to keep in touch with New Scotland Yard and Stations, has been installed on motor boats and has proved invaluable. One illustration from actual experience must suffice. Late one night a constable on land notified the Information Room at New Scotland Yard that two men had been seen in a row-boat in such circumstances that his suspicions were aroused. This information was wirelessed to boats on patrol. As a result search was made and two men, rowing quickly towards the shore, were stopped by the crew of a patrol boat, questioned, and subsequently arrested and charged with the theft of property found in the row-boat.

Wireless has also been instrumental in saving life on the river. In one particular instance information was given to a constable on land near Blackfriars Bridge at night that a man had fallen into the river. Particulars were immediately transmitted to a wireless boat, which succeeded in tracing and rescuing a man whom they found clinging to the piles of a riverside jetty in an exhausted condition.

Wireless transmissions include amongst other things requests for urgent attention to injured persons on ships, information respecting sunken craft and barges adrift.

Boats are also supplied with gear for salvage work. When property is found adrift in the river it is conveyed to a Customs and Excise Depot, where it is handed to a representative of the Receiver of Wrecks, to whom such property must be delivered in accordance with Act of Parliament. Private individuals who find such property are compelled to follow the same procedure otherwise they commit an

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offence, but they claim and are paid salvage by the Receiver of Wrecks. Some of these men earn a fair livelihood from salvage on the Thames. A check is, however, kept on the practice in order to prevent any unlawful removal of property found floating on, or sunken, in the river.

On an average 120 cases of casualties to shipping occur on the river annually. It is the duty of police to attend in all these cases to render assistance and prepare reports. When personal injury occurs an ambulance is summoned to the nearest point on the shore and an attendant conveyed by police boat to the ship or barge, from whence the patient and attendant are taken ashore in the police boat. A good knowledge of first-aid work, including the improvisation of stretchers, is essential in the Thames Police, as attention has frequently to be given by police to injured persons on ships and barges before the arrival of the ambulance.

It is not uncommon, too, for river police to be called to a sailing barge and requested to summon medical assistance for the master, his wife, or a member of the crew, in cases of sudden illness, when the police boat is the only rapid means of communicating with the shore. In urgent cases, the patients are taken ashore in police boats for conveyance to hospital by ambulance.

Then there is the work of rescue from drowning, about 50 lives are saved annually by the Thames Police. A few of these cases are attempted suicides but the majority are persons who have accidentally fallen overboard or off the river banks or jetties. It is not to be assumed that this task is completed when a person is taken out of the water. Thames policemen are specially trained and equipped for the application of artificial respiration by the Shafer method. In this connection each boat is supplied with a sparklet resuscitator containing CO₂ (carbon-dioxide) which is used in conjunction with the artificial respiration. The resuscitator discharges a stream of CO₂, which is administered to apparently drowned persons during inspiration whilst applying artificial respiration. Instances of successful use are not infrequent.

There is, however, a duty which River Police have to perform and which is oftentimes gruesome. That is the recovery of dead bodies. It is remarkable that the number averages about 120 annually, with little variation. When a body is found a certain routine has to be followed. A doctor has to be called at once to certify death, the official remover appointed by the local council concerned is summoned, the Coroner and his officer notified and the clothing searched for property and means of identification.

In many cases names and addresses are discovered, but in others

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difficulty is encountered when there is nothing on the clothing to assist police in clearing up the identity. Every effort is made to trace friends or relatives by searching records of Persons Missing, circulating descriptions and frequently by taking finger-prints and photographs, with the result that very few unknown bodies are buried.

There is, however, a lighter side even to this grim work. Only a few months ago a crew was hailed by a lighterman on a barge; he was holding on to a rope attached to some object in the river. When police reached him he said, "I have been holding on to this body for some time." Much to the disgust of the lighterman and probably to the quiet amusement of the crew, when the object was taken out of the water it was found to be a tailor's dummy dressed in male clothing.

Day of a Fire Brigade Officer

By A. P. L. SULLIVAN

Station Officer, London County Council—London Fire Brigade

[*Paper read at the London Winter Conference of the Institute of Public Administration, February, 1937*]

[In accordance with the regulations of the London County Council the writer desires to make it clear that the London County Council accept no responsibility for the author's opinions or conclusions.]

In 1832, fire brigades in London, which had previously been private concerns maintained by the various insurance companies, were co-ordinated and called "The London Fire Engine Establishment." Although the title "The London Fire Brigade" dates only from the L.C.C. (General Powers) Act, 1904, Section 46, the Brigade in its present form was constituted by the Metropolitan Fire Brigade Act, 1865, under which unified control was established over the existing fire-fighting facilities.

In the control room at our Headquarters and in a position where it can be seen by everyone is a Shakespearean quotation which says:—

"A little fire is quickly trodden out; which, being suffered, rivers cannot quench."

That epitomises the spirit and policy of the Brigade. Hence the importance attached to speed in turning out and getting to fires. A measure of the success attained is the figure 24.61 seconds as the ascertained average time of turnout throughout London. This result was obtained from eleven drills given to each station by senior officers at all hours of the day and night.

To deal with fires to-day one requires considerable technical knowledge, coupled with good stamina. To extinguish a fire in London is not merely a matter of arriving with a fire engine, connecting up the hose and squirting water; one must first ascertain the kind of contents the building contains, for example, substances such as sodium or potassium are rendered more inflammable in contact with water; others like oils and petroleum cannot be extinguished by water, and, again, some substances, e.g., hops, absorb water so quickly that in a short time the weight on the floors is abnormal and dangerous,

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or the contents may swell and tend to push out the walls of the building.

A knowledge of building construction is necessary so that one may readily recognise possible danger, especially of collapse.

Hydraulics also play a part in our work; as you will imagine it is often necessary to compute pressures and flows of water from hydrants. It would, for instance, be sheer waste of time to connect a pump to a hydrant and try to use four lines of hose when there is only sufficient water to feed two.

As for stamina, at most fires one gets wet through and generally inhales a lot of smoke or noxious fumes. Casualties are not infrequent, for instance during 1935 the London Fire Brigade had three men killed and 334 injured at fires, also seven men had illnesses as the result of fires, one of which proved fatal.

Our designation, *i.e.*, Fire Brigade, is rather a misnomer in that we not only deal with fires but also with such difficulties as:—

- (1) persons caught in machinery, jammed under vehicles, or overcome by noxious fumes;
- (2) leakages of dangerous gases;
- (3) horses trapped in street excavations and other awkward places;
- (4) collapsed buildings;
- (5) maniacs and other found in dangerous positions.

Then there is a branch whose sole duties are in connection with the prevention of fire. This is called the Inspection Branch and it comprises eighteen officers whose job is to inspect regularly theatres, cinemas, public halls, large warehouses, departmental stores, etc.

The Brigade area is divided by the River Thames into two divisions, the Northern Division and the Southern Division. These divisions are each sub-divided into three districts which are lettered A, B and C in the North, and D, E and F in the South. Each district has an average of ten stations which are under the charge of a Superintendent assisted by a District Officer. Each station, except the one in each district at which the Superintendent resides, is under the charge of a resident Station Officer.

This brings me to my own particular job. I am the Station Officer in charge of a station situated in the heart of the City of London—that area designated by the Press as the “danger zone,” probably because here occurred the two biggest fires in the history of the Brigade—the Cripplegate fire in 1897 and the Barbican fire in 1902. In the former, roughly 112 warehouses were wholly or partly destroyed. My area comprises roughly one-third of the City and a small part of the Metropolitan area outside. My station has three

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motor appliances, namely—a dual-purpose appliance, which is an escape and pump combined, a pump carrying a 40-ft. extension ladder, and a 100-ft. all-steel turntable ladder. The personnel, excluding myself, consists of two Sub-Officers and thirty-one men. These are divided into two watches, one on day duty, 9 a.m. to 6 p.m., and one on night duty, 6 p.m. to 9 a.m. At each week-end they change over so that they work alternately one week day duty and one week night duty. The watch on duty is detailed as follows:—

Crew of dual-purpose appliance	...	4
Crew of pump	...	5
Crew of turntable ladder	...	3
In station watchroom to receive calls		1
On leave	...	4

Twenty-six street fire alarms are connected to the station, besides various private telephone lines to certain buildings and other fire stations.

A fire call may be received at my station either by police, stranger, street fire alarm, exchange telephone, fire telephone (these are private lines connected to the station from various buildings), or automatic fire alarm (these are thermostatically controlled heat detecting devices fitted in certain buildings, which when actuated give a call to the Associated Fire Alarm Call Station in the City who pass it to us by private telephone line).

May I interject here a few remarks on "Calling the Fire Brigade." Unless the fire station is nearer, the quickest way to summon the Brigade, even if you have a telephone, is to pull the nearest fire alarm. Experience has taught us that for various reasons delay nearly always occurs when calling us by telephone and here are some of the reasons:—

- (1) The first line might be engaged, making it necessary for the exchange to provide an alternative line.
- (2) Possible difficulty of the caller in conveying the name of his street to our operator.
- (3) The possible necessity of our having to "look up" the street in a street index book.
- (4) Then there is type of caller who picks up the telephone and excitedly shouts "Fire, Fire." The exchange promptly connects him to the Fire Brigade and he hears our operator quietly saying "London Fire Brigade"; he then shouts, "Come quickly, my house is on fire." Our operator asks his address and he wildly shouts, "Oh, come quickly, it's right opposite the baker's." He then runs away and leaves the telephone. Although there are hundreds of baker's shops in London we

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are not placed in a dilemma, because we are able to trace the call through the exchange supervisor; this, however, must waste time, with possible disastrous results.

Before giving my programme over a typical day perhaps I should tell you that I live in the station and am available each day during the whole twenty-four hours, except one day each week when I am on leave. Now for this typical day.

At 7 a.m. I proceed to the appliance room where the staff are assembled and with the assistance of a Sub-Officer detail the men for various cleaning jobs in the station. I would point out that this particular station is in a busy City street, so that any work involving the outside of the station, or work necessitating moving appliances into the street must be done before 8 a.m. to avoid serious interference with traffic. As an example, the appliance room floor is washed once a week, and, as we have only a small yard it means that the appliances have to be placed in the street; this job must, therefore, be completed by 8 a.m.

At 8 a.m. I go to my quarters for breakfast and at 9 a.m. return to the appliance room where both watches, *i.e.*, the incoming and the outgoing, are lined up in two ranks. The roll is called by a Sub-Officer; the men of the outgoing watch are then dismissed to go to their homes and the incoming watch are detailed as crews, etc., for the various appliances; they are then dismissed and until 9.15 a.m. are occupied in cleaning their fire uniform and accoutrements. From 9.15 a.m. to 10 a.m. I supervise drills or give a lecture on a technical subject. During this three-quarters of an hour the staff are daily either lectured on fire brigade matters or receive training with various types of appliances. At 10 a.m. station work commences and the men complete the cleaning of appliances, gear, mess rooms and other parts of the station. Meanwhile, during this period I should be engaged in clerical duties, *e.g.*, records of various kinds, wages accounts, ordering stores from the L.C.C. Supplies Department, etc. Also between 10 a.m. and 1 p.m. the various periodical tests falling due are carried out, *i.e.*, tests of extinguishers, lines, hose, ladders and miscellaneous gear. At 1 p.m., after seeing that the station and appliances are properly cleaned and in order, I go to lunch. During the afternoon my time is taken up either in clerical work or tests, *e.g.*, street hydrants, which are tested four times a year. At 6 p.m. the night watch come on duty and the roll is again called. During the evening, drill with hook ladders or turntable ladders is carried out.

This is a bare outline of my ordinary routine work about the station but, in fact, it is generally much more involved than that, being so frequently interrupted by fire or special service calls.

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We are sometimes called to what we know as a special service. For example, a person jammed in a lift. If such a call is received in my area I attend with my pump and crew, and a special appliance known as an emergency tender is also ordered. We have two of these, one at Headquarters and one at the Clerkenwell Station, and they carry special equipment for such work. Also crews of pumps at various stations are specially trained for this work.

On arrival I must quickly observe whether the lift is electric or hydraulic; if the former then a man must be immediately despatched to cut off the current, if the latter a man must be sent to the hydraulic apparatus to ensure that it is in the neutral position and is not interfered with, as it is possible in these cases to release the pressure and let the lift down suddenly. The steps taken to release the trapped person depend on the circumstances. In some cases we may raise the lift, in others lower it, and frequently it is necessary to cut the lift away either with saws or oxy-acetylene cutting plant. In the early stages I must send a telephone message for an ambulance, and to the lift makers, who send an expert to render assistance if required. When released the victim is sent to hospital and particulars are collected for a special service report which I subsequently forward to my Superintendent.

A call of a less painful character may be to a chimney fire; I attend with my pump and crew. On arrival I must first find the fireplace from which the chimney fire started. Incidentally this is not always easy, as it sometimes happens that a passer-by will give the call. We arrive and see a chimney blazing in the middle of a stack containing perhaps twelve chimneys. The caller, of course, does not know which occupant is responsible for the chimney, so unless the occupant volunteers the information, and frequently people with a chimney on fire deny all knowledge of such fire, we have to find the culprit by a process of elimination. Having found the fire we proceed to put it out, using a special appliance called a hand-pump. When the fire is extinguished and I am satisfied that everything is safe, I collect certain particulars from the occupant for the information of the Solicitor to the Council. This is necessary because in the case of a chimney fire a penalty is inflicted according to the rateable value of the premises concerned.

I would mention here that except for chimney or duct fires no charge is made for attendance at fires in London, as this service is charged to the rates.

Now I propose to tell you what happens, so far as I am concerned, at a typical City warehouse fire.

When a call is received the appliances respond, the dual-purpose appliance always turning out first because it is primarily a life-saving

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appliance. I go on the pump and when I arrive at the fire, almost simultaneously, my first duty is to ascertain whether any persons are in the building; if there are, then I direct the best means of rescue. I may find that the first and second floors of a large general warehouse are well alright. I instruct my appliance crews to get to work from suitable hydrants, seek the best means of access and send a man to transmit the following message to Headquarters. "District call for BLANK Street, City." This is a code message which indicates to the Brigade that I require at least ten pumping units and two turntable ladders to deal with the fire. These are thereupon immediately ordered by the officer of the watch at the Superintendent's station, who refers to an index card which indicates the nearest appliances. Each fire alarm in London has its own index card and these are arranged numerically in cabinets for easy reference.

If more than ten appliances were required, then the matter would be dealt with by the mobilising officer at Headquarters, who would order by direct telephone line the nearest and requisite appliances from other stations. For this purpose there is a specially designed large scale map in Headquarters control room showing all fire stations and their appliances, the latter being indicated by means of removable pegs. As the mobilising officer orders an appliance to the fire he removes the corresponding peg from the map and places it in a bracket marked "Fire," thus he may see at any moment exactly what appliances are at a fire. The control room in which this mobilising takes place is connected, via the Superintendents' stations, to every station in the Brigade, so that no time is lost in ordering additional appliances to a fire.

As the additional appliances arrive at the fire, I direct their crews to hydrants from which to get to work and instruct them as to the best means of access to the building. Incidentally, I may say that it is the duty of every station officer to have a good knowledge of the buildings and the position of all hydrants in his own area.

While the early appliances are arriving I must "size up" the building and let Headquarters know the nature of the fire, so I send back the following message—"Detailed message from the fire in BLANK Street, City. It is a building of four floors about 100 by 80 feet, used as general warehouse, first and second floors well alright." Also I detail a man to find a telephone and keep in constant touch with Headquarters.

With the additional appliances comes the District Superintendent. I report to him exactly what action I have taken and then he will either order me to remain and render him assistance or, which is more likely, to go to the branch manned by the crew of my pump. From now on I, with my crew, fight the fire in exactly the same way

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as every other appliance crew; the responsibility as to how the fire is to be fought is now in the hands of the Principal Officers and Superintendent, who arrange for the attendance of more appliances and reliefs as necessary. When the fire is in hand the officer in charge will send back a message on the following lines—"Stop for BLANK Street, City; it has been a building of four floors about 100 by 80 feet, used as general warehouse, three upper floors severely damaged by fire and part of roof off." This message indicates to Headquarters that the fire is under control, has been confined to the original building and that no further attendance is necessary, except perhaps relief crews which are asked for later.

When ordered, I, with my appliance crews, make up our gear and return to the station. The fire being in my area I should probably be one of the last to leave. We arrive home and our first job is to prepare the appliances for the next call, so we fill up with hose, petrol and oil, and replace from stock any gear left behind at the fire which will be recovered later. The used hose has to be scrubbed and hung up to dry ready for further use.

That fire was in the City of London; therefore, at some subsequent date there would probably be an "inquest." Under the City of London Fire Inquests Act, 1888, section 3, it is the duty of the Commissioner of City Police, or the Chief Officer of the London Fire Brigade, to report any case of loss or injury by fire to the Coroner of the City of London. The Coroner then has the same jurisdiction as in the case of an inquest upon a dead body. An inquest is held at the Coroner's discretion or at the request of the occupants of the building involved. At such an inquest I, as the first officer to arrive at the fire, have to give evidence; therefore, it is necessary that at every fire I attend I must observe and remember everything possible so that when subsequently called upon I may be able to give accurate evidence.

The Place of the Art Gallery in the Life of the Community

By STANLEY CURSITER, O.B.E., A.R.S.A., R.S.W.

Director of the National Galleries of Scotland

[*Address delivered to the Edinburgh Group of the Institute of
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I WANT to tell you, briefly, (1) how the Gallery came into existence; (2) what we do for a living; and (3) the place the Gallery plays or should play in the community.

(1) HISTORICAL, OR HOW THE GALLERY CAME INTO EXISTENCE

I apologise for troubling you with history. It is a subject of which most of us have painful school-day recollections, and it is perhaps only in later life that we outgrow our distaste for dates. I promise not to give you too many, and if for the moment I ask you to think of the days of Queen Anne, the Union of the Parliaments, and the Treaty of Union, I can at least promise that I do not intend to consider the political issues or discuss the possibilities of renouncing that Union. I only want to remind you of certain things which happened in the year 1707 or thereby.

Under the Treaty of Union, Scotland accepted certain responsibilities, such as a share in the National Debt and other burdens; and, under the terms of the treaty, England, or rather the joint Government, agreed to repay to Scotland yearly a fixed sum, which is known as the Treaty of Union Annuity. This sum of £2,000 was to be devoted to the furtherance and improvement of Scottish manufactures. In 1729 a body known as the Board of Manufacturers came into existence to administer this fund.

Scottish industries were encouraged and a great deal of useful work was done both in improving the standards of manufacture and bringing new methods to bear on the various industrial problems. After some 20 or 30 years the standard of manufacture had improved enormously, but the Board discovered that their problem did not lie only in the quality of materials and workmanship—the question of the design of the manufactured article was a matter of first-class importance. I want to emphasise this.

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As you know, the Board of Trade set up a Council of Art and Industry about two years ago, and we have seen innumerable Press references to the excellent work which that Council is doing. The purpose of the Council of Art and Industry is to stimulate better taste in the design of manufactured articles, and at the same time to stimulate greater public interest in good and appropriate design. With this in view the Council have recommended a complete overhaul of the methods of teaching art in schools, and the whole question of the art consciousness and art training of those engaged in industry is being looked into and diagnosed. And all of this with the active and vigorous support of the Government. You will ask, why? Well, this is a competitive world and the Board of Trade has discovered that while British manufacturers need fear no competitors in quality, other nations have been turning out articles, which by some little attention to detail or improvement in design, or some added attractiveness in colour or form, have in some unaccountable way captured the world's markets.

Oh, no, you must not imagine that the Board of Trade has gone all "arty." The Board of Trade has gone "tradey" or even more "tradey." They have discovered that Art has some commercial value. This is most encouraging and it shows how the Government is wakening up and getting to grips with world problems. The Government has in fact arrived at the same conclusion as that reached by the Board of Manufacturers in Scotland 170 years ago.

Well, what did the Board of Manufacturers do in 1760? They started an Art School to teach design particularly and definitely with the idea of improving the character of Scottish manufactured articles. This was the Board's first active contact with the arts and they carried on that school for 150 years.

The 18th century was, as you know, the great period of the Grand Tour. It was considered part of every gentleman's education that he should spend a year or more in visiting the capitals of Europe. Now, of course, we can do that from an armchair in the nearest cinema, and in any case it does not matter. Life in one European capital is much the same as in any other, but the Grand Tour as an educational institution had a great deal to be said for it. Our gentlemen came back with some knowledge of the peculiarities of our European neighbours, some grasp of geographic distance which they absorbed from the hard cushions of the carriages in which they travelled, and many of them came back with enlightened ideas on the arts, particularly in Italy and France. Many of them aspired to form collections of pictures by the Old Masters or add to such collections of pictures as they already possessed.

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About the year 1800 the Board of Manufacturers evolved the idea that it would be no bad thing if an exhibition of pictures could be held for the benefit of those who had not the opportunity of foreign travel. An exhibition of pictures mostly from the private collections of members of the Board was held in the adjoining building, now the Royal Scottish Academy. This was not the first exhibition of pictures in Scotland. In 1761 Robert Foulis had hung his collection of pictures round the Quadrangle of Glasgow University on the day of the coronation of George III and this exhibition had been repeated on the anniversary of that day for several years, but the earliest exhibitions in Edinburgh were shortly after 1800. At about the same time a Society of Artists had been formed in Edinburgh and they held exhibitions of current work. After the Board of Manufacturers, or rather an off-shoot of the Board called the Royal Institution for the Promotion of the Fine Arts, had held two or three exhibitions of their own and their friends' pictures, there came a time when they no longer had enough pictures to run further exhibitions, so they propounded a scheme and asked the Society of Artists to join in a combined exhibition of current work and Old Masters, but the artists were to have no voice in the arrangement or management of the exhibition.

This scheme survived two or three exhibitions. Then the artists rebelled and broke loose, forming the Scottish Academy in the year 1826. This had immediate repercussions. The Royal Institution came to the conclusion that living artists were impossible—in any case, all the famous artists were dead. So the Royal Institution decided to set about forming a collection of pictures by Old Masters. The Academy, to show that they were no less enlightened than the Institution, decided to form a collection of their own, also Old Masters, and Scottish artists working in Italy were pressed into the service of both bodies to secure pictures, each body doing its best to outshine the other in the importance of their acquisitions.

This concentration on Old Masters did not please everybody and another body was formed. "The Society for the Promotion of the Fine Arts in Scotland," which aimed at encouraging contemporary talent and persuading living artists to paint bigger and better pictures.

This was the position when a well-known collector, Sir James Erskine of Torrie, died and, having ideas on the educational value of the Fine Arts, he left his collection to Edinburgh University, with a condition attached to the rest of his bequest that the pictures should be exhibited free to the public on two or three days a week. This put all the fat in the fire. The University could not get its bequest without the pictures, and after 10, or perhaps it was 20, years of

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argument, the collections of pictures formed by the Royal Institution, the Scottish Academy, the Society for the Promotion of the Fine Arts, and the Torrie Collection, were combined and the Scottish National Gallery first opened its doors in 1859.

The collection at that time consisted of 313 works of art, of which 83 were contributed by the Torrie Bequest, 77 from the Royal Institution, 141 from the Royal Scottish Academy, six from the Board of Manufacturers, and six from the Association for the Promotion of the Fine Arts. To this nucleus various bequests and gifts added works until 1907, when a reorganisation was carried out under the Scottish National Gallery Act. The Board of Manufacturers who had controlled the Galleries up till then, went out of existence after almost 200 years of useful work and a new body, the Board of Trustees for the National Galleries of Scotland, came into existence. Various funds, including an annual grant and the Treaty of Union Annuity, became available for the purchase of pictures. So, since 1907, the collection has benefited in a direct way by works of art purchased to fill blanks or increase the representative nature of the collection, as well as by bequests and gifts as in the earlier days.

The Art School, which had been under the Board of Manufacturers from 1760 until 1907, became the Edinburgh College of Art under the Corporation and the Department of Education. What I want you to remember in connection with this School of Art is that it originally came into being to teach design for Scottish industry. There were other art classes run by the Royal Scottish Academy which aimed more directly at training the professional artist, but in the School of Art run by the Board, the Fine Arts, if I may be allowed to use that phrase, gradually submerged the teaching of design with an industrial application, so in the latter years of the School of Art the teaching of art for industry was confined to a few students who had some trade employment during the day and continued their studies in evening classes in design for their particular trade. Also, I suppose I should include architectural classes held at eight o'clock in the morning for apprentice architects—a thoroughly practical class held under the auspices of the Architectural Association, with Sir Rowand Anderson as its mainspring. It is interesting to trace the influences which have played over the teaching of art in Scotland. The College of Art developed so far in the teaching of the Fine Arts that the classes held by the R.S.A. were absorbed. A noticeable feature of recent years has been a closer collaboration between the College of Art and the Technical Colleges and again a swing to a more definite teaching of art, or design, for industrial purposes. That, however, lies outside my scope unless when I come

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to deal with the place the Galleries might play in the community, then I must necessarily refer to art teaching and art appreciation.

The contents of the room in which we are, illustrate very nicely the sources from which the Gallery has grown. The magnificent landscape by Ruisdael, "The Banks of a River," is one of the Torrie Bequest, as also are the Poussin "Landstorm," the Lievens "Woodland Scene" and three pictures on the other side of the room. The three large Van Dycks were purchased by the Royal Institution through a Scottish artist, Andrew Wilson, who spent the greater part of his life in Italy and to whom Scotland is deeply indebted for many fine pictures selected by him both for public bodies and private collectors. The two Frans Hals and the Rembrandt were presented by Mr. William M'Ewen and form one of the richest gifts we ever received. "The Interior of Amsterdam Cathedral" is one of the earliest purchases made after 1907 when we had funds to purchase pictures.

(2) THE WORK PERFORMED IN THE GALLERY

I now want to say something about the work which we do in the Gallery. I imagine that to most of you it will seem difficult to believe that there is anything to do at all. That is far from the case and I want to assure you that between this Gallery and the Scottish National Portrait Gallery, the three technical members of the staff are kept very fully occupied. When I say fully occupied, I do not mean merely between 10 and 4 or 5 in a civil service way, but as our profession is also our hobby the work of the Gallery is seldom out of our thoughts. We also have a secretary, or rather a secretary to the Board of Trustees. He conducts all the affairs, financial and otherwise, of the Board, so that the technical people are left to deal with the problems which arise out of the collections. I suppose to most of you the work will appear to be limited to keeping the pictures dusted and the glass polished. There is more in it than that.

First of all there is a considerable amount of correspondence—questions regarding pictures in the collections or queries about Scottish painters. We are, I suppose, the first and most natural source for such information and this correspondence comes from all over the world. There is one point you must remember. Scottish art is not like Italian, Dutch, Flemish, or French art. On these subjects you will find innumerable books of reference and any number of scholars have devoted their lives to the study of these subjects. On Scottish art you will find very little, so we are obliged to form our own records and gather the information which makes it

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possible for us to answer the questions addressed to us. The history of the earlier periods in Scotland is very obscure, and it is only by familiarity with the work of individual artists or of the work common at particular periods that we can develop the judgment necessary to do our work. We are constantly visiting private collections and co-ordinating the scraps of information we unearth in the hope of adding to the sum total of our knowledge. It will amuse you to know that we know the work of several artists working in the 18th century. We know quite a lot about them, yet we do not know who they are. Our hope is that one day a signed example or some documentary evidence, an account or a receipt, will turn up. We shall then be able to announce the discovery of another artist and supply lists of his more important works. Again, in Scotland, we are divorced from the wide sources of reference which are available in London. So we have to create such reference material as we can. We now have thousands of illustrations, prints, photographs, and so on, filed away in boxes, arranged by schools under the artists' names. In the Portrait Gallery we have the same sort of thing under persons. In the reference section there we have some 20,000 items, indexed and filed in a way which makes reference to them almost a pleasure.

We believe our responsibilities extend beyond the walls of the Galleries, so we keep a paternal eye on pictures all over Scotland and we are always pleased when we can help by advice or otherwise those who have the responsibility of possessing collections of pictures. Here, of course, we have to be careful not to trespass on the interests of others who may make such jobs their profession, but where we can we give disinterested advice.

Now for the pictures themselves. They are far from being the dead inert things which you might imagine. In fact, you must regard them rather as patients in hospital, each individual with complaints and troubles, and demanding constant nursing and attention.

Pictures die of old age. In the natural processes of decay the poor things fall to pieces. The oil with which they are painted dries. That takes about a hundred years. Then they become brittle. The canvas rots, or if they are painted on wood, the panels split or twist. Sometimes the artists were careless and mixed colours which fight, or they used materials which disintegrate. Many of our troubles are caused by changes of temperature and more by changes of the humidity, or again by the amount of sulphur in the air. (The lecturer then gave a description of typical cases and the methods of preservation or restoration adopted.)

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(3) VALUE, OR THE PLACE THE GALLERY PLAYS OR SHOULD PLAY IN THE COMMUNITY

I now want to say something about the part which the Gallery plays in the community. If you are interested in the history of art, particularly the development of painting since the earliest days of the Renaissance, this Gallery is fortunate in having examples of almost every school and of the various periods of each school, in many cases examples of first-class importance.

In this connection I want to tell you the story of an American doctor, whom I found deeply engrossed in our collection.

With advancing years he had found leisure for reading and in literature he found references to a whole world outside his experience —music, art, architecture. His son had grown up and joined him in his practice; he seized the opportunity to take a two-years' holiday in Europe to study art and architecture, and so prepare for a more sedentary old age.

I feel sure the case of the American doctor is far from being unique. There must be many who in the course of contacts in social life, or in reading, find themselves up against the expression of sentiments, of ideas, of sources of interest and emotional enjoyments or appreciations, which somehow lie beyond the limits of their own experience or understanding. Many people go through life without ever being conscious of the influence which art may have on their own full enjoyment of existence. We surround ourselves with houses which we decorate and furnish, and fill with articles necessary for our everyday life. These houses, decorations, furniture, and everyday articles may very easily contribute to our happiness and joy, or, as all too often happens, they may be only a setting which is so drab, so uninspired in selection, that we kill the very instinct which should prompt us to find a peculiar and personal joy in creating our own small world to live in. To me there is no more pathetic sight than the man who is content to live or work in what is a mere accumulation of rubbish, buried alive in a setting which has ceased to have any meaning or interest, in which there is no single object on which his eye can rest with the certain hope of striking some responsive cord. Yet I know many poor creatures who to my mind are visually or optically, emotionally, and aesthetically dead—and they do not know it. That is the sad thing.

This business of art is a curious affair. You must remember that much of what we know of many earlier civilisations is based only on the remains of the art of these peoples. How much of our knowledge of Egypt, Assyria, Greece, and Rome is based on our

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knowledge of their architecture, sculpture, pottery, and the thousand and one odds and ends bearing the impress of their æsthetic taste as expressed in craftsmanship. And there are many other civilisations of which all that remains is some form of art, and you will find that we grade these civilisations or peoples very largely by our judgment of their art. You will agree, I think, that we instinctively feel a finer fibre in the mind of Greece than in the mind of Rome. Rome may be splendidly virile and vigorous, but there is a subtle refinement in the finest of Greek work which we recognise. The judgment of the future is not likely to differ in its direction and it is an awe-inspiring thought that another age will judge us by what we leave in our art. Pompeii was a small town of no particular importance until it was buried, and preserved, in a layer of ashes from Vesuvius. I wonder how we should feel if one of our newer suburbs or housing schemes achieved a similar immortality.

In a collection of pictures, such as we have here, there is an infinite range of interest for those who can read the language in which they are written. It is a language, or, at least, a form of expression, but it demands just as much study as any other language. As one critic has expressed it, you are no more likely to arrive at an understanding of art by wandering about in an Art Gallery than you are likely to acquire a knowledge of surgery by wandering about in a hospital. The understanding of art demands some effort and application on the part of the student, and as in other studies, some have greater aptitude than others. However, there are many ways of approaching the study of art. There is, as I have indicated, the historical, in which you can trace the development and progress, or the rise and decline of different schools. There is the subjective, in which you can study the idea or subject-matter or intention which lies behind the arts that have concerned themselves in such matters. There is the biographical, in which you can study the lives of the artists and try to trace some connection between the individual and the product. There is the structural, in which you can trace the conventions and methods which underlie the design or composition of works of art at various periods. But none of these to my mind will touch the real kernel of the subject. Our appreciation of art must involve some understanding of all the matters I have indicated. All of these will qualify or modify our full appreciation of any particular work of art, but the essential quality lies in some region outside these measurable elements.

I am now standing on the edge of a bog. The question, "What is Art?" has been the theme of innumerable tragedies. Ruskin wrote five volumes on "Modern Painters." He surveyed the whole field

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of creation and never got within sight of the question he set out to settle. Tolstoi wrote a book, "What is Art?" and only succeeded in proving that he did not know. Most philosophers have had a shot at it and missed the mark. Modern critics, of great subtlety of thought, have tackled the job and they are still at it. My trouble with some of the more modern is that while I comprehend what they mean I do not believe them, and when I cease to understand their language I have no idea what they are talking about. So I rather despair at making my own ideas clear. In fact, I will not attempt it, but I can perhaps throw out a few hints.

When we come into the presence of a great work of art, we are as immediately conscious of some radiation of spirit or beneficence as we are conscious of the radiation of heat when we come into the presence of a fire. We respond to the influence of that work of art just as we respond to the warmth, and no dull analysis of the subject or structure of the work of art will explain what that influence is, or what our response is, any more than the exact determination of the increase of temperature measured with a thermometer will explain what we feel in the glow of a fire. Our joy lies in the region of experience, and one can only say that our appreciation of such matters and our sensibility to grades, degrees, and subtleties of experience within these limits is increased and can be cultivated by further experience and in no other way.

When Keats explains that Cortes stood on a hill and saw the Pacific, that in itself is a dull enough piece of geographical fact, but in the phrase which he has selected there is more than a guide-book statement. We should be no happier if we knew the exact height of that peak in Darien, and the guide-book would certainly have given us that in exact figures. So again in a work of art, it is not facts that matter, or accuracy, or any question of representation or verisimilitude, but more, as in Keats, some hidden magic. In painting, that magic may lie in some rhythm of form, some interval of colour, some contrast of light and dark, or some division of space, or all of these, but just as Keats uses mere dictionary words to express something more than could be discovered from the dictionary, so the artist with his colourmaker's tubes of paint can create something which exists in terms of the pigments and materials of his craft, but which is outside the chemistry of the paint manufacturer.

In that small room over there, there is a Madonna by Bourdelle. I have seen people walk into that room and tiptoe out of it as though they had stepped into some side chapel of a great cathedral. Do not tell me that that is just sentimentality. Something lives in that room. At a guess, I should say it is a work of art. I have seen people walk

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out of the small room at the Prado where Velazquez's picture, "Las Meninas," hangs all by itself, with their eyes full of tears. One's heart has gone dancing off in a riot of colour with the Post-Impressionists. Do not get the idea into your heads that art is a highbrow business full of nothing but intellectual superiority. It is like learning to skate. To begin with it seems a hopeless business, there is no foothold and many falls. Then it is a joy, full of lighthearted swoops and glides in defiance of all probability. Without this sense of joy, without the glow—a sensibility to the influence which radiates from works of art—without this feeling of well-being or better-being in the presence of beautiful things, without the immediate response to beauty in its infinite variety, I feel that man goes through life in a lop-sided condition. It is the job of teaching art appreciation, to develop that consciousness—not to cram the student with the facts of art history, but to awaken the mind to a region of experience which can be a continuous delight.

I believe that a Gallery such as this can be of the greatest value in releasing one from the oppression of mundane affairs. It has works of sufficient variety to appeal to all moods, and any picture which raises the right response and promotes the kind of appreciation which I have tried to indicate, can act as an introduction and lead in time, and with perseverance, to an appreciation of the others. Many people may find it difficult to understand the earlier Old Masters. For them it may be easiest to start with pictures of familiar aspect such as works by more recent Scottish painters. Or, again, others may find it difficult to understand the more modern pictures. In every case the best line of approach is from the starting point which you find easiest. In that way I believe the Art Gallery can be not only a fascinating field of exploration, as in exploring it you are unconsciously exploring your own convictions, but you will find a constant succession of new viewpoints which in turn open up wide vistas in other directions—in your appreciation of other arts—literature, music, architecture. There is no end to them. At the same time I believe the Galleries can act as an inspiration, and a greater familiarity with the works enshrined here will unconsciously influence the community towards a higher appreciation of the possibilities of enriching their everyday lives by selecting for themselves better and more interesting surroundings. In this connection it would, of course, be easier and infinitely better if we had a Gallery of Modern Art. I mean much more than pictures. I should like to see a Gallery in which the best of current painting could be shown arranged in the best of current settings, with present-day fabrics, furniture, glass, pottery, so that the Art Gallery might be not only an attraction to visitors to our country as displaying the best of

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our current art, but also be a constant reminder to our own people that the art of the present is available for them. Such a Gallery would have an enormous influence, and would, I believe, do far more to stimulate a new interest and pride in our native art and industries in which art and design find an outlet than many of the schemes at present being put forward. Indeed, I look upon the formation of such a Gallery as the natural corollary to the efforts now being made by the Council of Art and Industry to which I referred in the beginning of this talk.

It might be desirable that some more definitely educational work should be undertaken in the Gallery—by lectures, or talks, or the path smoothed in some other way for the inquiring student. It is difficult to do that in this particular Gallery as such ideas were not visualized when the Gallery was designed, but you must know that under the Education Authority, school children are taken here and met on the spot by a teacher specially appointed to give instruction in art appreciation. So if for the moment, we neglect the adult or more advanced student, the children in our elementary schools are being looked after. We are indeed very proud of our association with the Education Authority in these classes. One would like to see the system extended. Under a Beneficent Tyrant, who had some understanding of art, I believe the art teaching in our schools, in our Colleges of Art, in our Universities, and in our Art Galleries, would all be co-ordinated and welded into a coherent scheme.

When it is remembered that in Scotland our people have shown a peculiar genius for construction, in engineering and in many other directions, and an outstanding feature of our native art is the use of pattern, in Celtic ornament, in tartans, in tweeds, and the most impressive element in the Scottish school of painting has been the sense of quality in colour; with the constructive sense, the decorative pattern, and fine colour, you have the necessary qualifications for success in a wide range of industries and manufactures.

Looked at from this angle, the teaching of art and the furthering of art in Scotland may be the very foundation of our industrial future—in fact, of our economic survival—and so it becomes a political question of the highest importance. This is not realised, and the Art Galleries, which of course I regard as the very keystone of the whole structure, remain little more than a decorative flourish. In the eyes of the State they are not half as important as milk or turnips. At least I have heard nothing of any art marketing scheme, which we might have had if we could have sucked art through a straw. In the meantime, we are public property and I am glad if I have done anything to interest you in how your property is looked after.

Administrative Justice

By F. E. BARRACLOUGH, M.A., LL.B.

Deputy Master in Lunacy, New South Wales

[*Paper read to the New South Wales Group of the Institute of Public Administration, August, 1936*]

IT is not intended to suggest by the title "Administrative Justice" that justice dispensed by administrative officers is in any way different from justice in any other connection, though possibly there are some who would declare there is a difference. In that respect the title is not altogether a happy one. It seems to be open to the same objection as such phrases as "American Jurisprudence" and "Medical Jurisprudence." The suggestion that there are different kinds of jurisprudence is, of course, without any foundation. There is only one Jurisprudence, just as there is only one Chemistry or one Music. This last seems a bold statement to make after hearing a Chinese orchestra or a Jazz band. But clearly there is only one Justice; and it is our British boast that it admits of no local colouring.

The British conception of justice does not comprehend what we used to be taught was connoted by the French phrase *Droit Administratif*—Justice conditioned by the end it serves—qualified justice, lacking the innate authority which in British communities Justice claims to have. The peculiarity of the earlier French conception was revealed in the trial of Emil Zola when one of the Judges declared "There is something more important than a Court of Justice—the honour and security of France." In this view, "France" (whatever is meant by that term) is made an end in itself. It is supreme. A similar view is now being put forward in Germany, Italy and Japan. It means, of course, that democracy has suffered eclipse. Government is supreme. Administration no longer serves. It has usurped the function of Government.

It has been said that to usurp is a generous crime and there are not wanting those who assert that administration is threatening to become usurpation in British countries. Let us return to that thought a little later.

Meanwhile, let us note in passing that the term "Administrative Justice" may be used correctly in a somewhat narrow and technical

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sense to describe certain functions of the Court—especially in its Equity jurisdiction. The Courts are open to all who have the desire (some would add “and the money”) to invoke their aid in settling matters of dispute or difficulty. But there are people who need the service of the Courts but are unable, for various reasons (other than lack of funds), to avail themselves of it. Such persons are under disability, e.g., because of infancy or because by some antecedent arrangement beyond their control they are debarred from exercising the fullest measure of personal activity in relation to their own interests. In such cases it sometimes happens that an estate is administered by the Court. The limits of this administration were pointed out by the present Master in Equity in a case in which the administration was not altogether satisfactory. The Master’s statement was as follows:—

“The Court of Equity is sometimes said to administer the trusts of a will or an estate. The expression seems to me to be a somewhat misleading one. It suggests that the Court takes the place of the trustee and administers the estate in the same way as a trustee would do. This is not the case. The Court exercises judicial, not administrative nor executive functions. When it decrees that a trust is to be administered, by or under its direction, it does not, in the ordinary case, supersede the trustees or take upon itself the actual work of administration. It does not do so, because it has not the requisite machinery for doing it. What it does is to make it necessary that the trustee should obtain the Court’s direction as to the exercise of the discretions vested in him under the trust. It will also, on application being made to it, by any proper party, give directions as to how the administration of the trust is to be carried on.

“For these reasons it appears to me that what is ordinarily called ‘administration by the Court’ would be more accurately described as ‘administration under the direction of the Court’.”

A similar type of administration is in force in respect of the estates of persons who are declared by the Supreme Court to be insane or for other reasons to be incapable of managing their affairs. Here again the function of the Court is supervision of administration rather than direct administration. A much more direct type of administration is exercised with regard to the business affairs of the 1,700 odd patients who are certified to be insane and admitted to the mental hospitals each year. In regard to those who remain in the hospitals—to the number of over 11,000 at present—there is direct administration, though necessarily through agents and employees. The Lunacy Act provides that the Master may do such acts as the patient himself could have done, if sane. In respect of some of

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these acts the Master *must*, and in regard to all of them he *may*, seek the guidance and direction of the Court. Thus, every variety of business concern comes directly under the administration of the Judges and the officers attached to the Court.

While administrative justice in this restricted and technical sense is an interesting phenomenon it is not the main purpose of this paper to discuss it with any particularity but merely to quote it as an illustration of the approach of the administration of justice to the wider field of administration in which we are all engaged. My present purpose is to suggest that from the Judiciary, in the administration of justice in the more usual and technical sense, all administrative officers in the public service may gain guidance in their *approach* to their own special responsibilities and in the direction in which they bestow their efforts to make public administration as a whole worthy of its aim and its great responsibility. Am I justified in speaking of "administration" as a "whole"? Is it a whole? What answer shall we make if we are asked "What is public administration"? Shall we point to its numerous departments and still more numerous Acts and regulations to be administered? Shall we refer to the progress of every man and woman from the cradle to the grave and point out that not a day passes without their coming into contact with public administration in some form or other? And, if then we are pressed to answer in a single sentence the question "What is public administration?" shall we be able to do any better than to quote words of sinister association "Our name is Legion for we are many"? Must we even submit to being labelled with the label that Dr. Johnson put upon the word "Deputation"—"A noun of quantity signifying many but not much"? Is public administration a many-headed-monster thing from whose tentacles there is no escape? Is the approach of the administrative officer to his calling only along labyrinthine pathways of innumerable Acts and regulations faintly envisaged in the many departmental papers of the grade tests of the State Service? To read through the whole of these papers is to gain a painful impression of bewildering complexity and multiplicity.

But complexity and multiplicity may become unbearably burdensome. For instance, the Crown Lands Acts of New South Wales were threatening to become almost incoherent by reason of constant amendment, and in the Courts both Bench and Bar made severe strictures from time to time as they were called upon to interpret such legislation and apply it to the circumstances of particular cases. The same may be said of other sets of Acts and regulations. It is not surprising that members of the public and even of the legal profession, instead of trying to find their way through the maze of Acts and regulations, make a practice of visiting Government Departments and

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asking there what they can do and how they can do it. This feeling of dependence—even of helplessness—does not arouse a feeling of confidence or improve the relation of the public service to the community at large. What impression, e.g., does one get from reading the following:—

“ If, in the case of a lunatic being in a workhouse, the medical officer thereof does not sign such certificate as in sub-section 1, of this section mentioned, or if at or before the expiration of fourteen days from the date of the certificate an order is not made under the hand of a Justice for the detention of the lunatic in the workhouse, or if after such an order has been made the lunatic ceases to be a proper person to be detained in a workhouse, the medical officer of the workhouse shall forthwith give notice in writing to a relieving officer of the Union to which the workhouse belongs that a pauper in the workhouse is a lunatic and a proper person to be sent to an asylum, and thereupon the like proceedings shall be taken by the relieving officer and all other persons for the purpose of removing the lunatic to an asylum, and within the same time, as by this Act provided in the case of a pauper deemed to be a lunatic and a proper person to be sent to an asylum, and pending such proceedings the lunatic may be detained in the workhouse.”

The late John Galsworthy quoted this extract in his presidential address to the English Association and added this caustic comment:—
“ Through long and painful study I can assure you that this really has a meaning; but is it any wonder that our asylums are full? ”

It has been well said that it is essential not merely to administer justice but to convince people that it is being administered. This has been done so consistently in British Courts of Justice that we take it for granted, and may be in danger of losing sight of the fact that it is a great achievement—that men have achieved it by deliberate aim, even though it may be they builded better than they knew.

The prestige of modern Judiciary in the British Empire is enhanced by considering the pit whence it was digged. This is how Henry Hallam describes it in his “ Constitutional History ”:—

“ I have found it impossible not to anticipate, in more places than one, some of those glaring transgressions of natural as well as positive law, that rendered our Courts of Justice in cases of treason little better than the caverns of murderers. . . . Those who are acquainted only with our modern decent and dignified procedure can form little conception of the irregularity of ancient trials.”

A more pleasing sidelight upon the part played by the Judges in relation to the Sovereign is given by Mr. Justice Hutton in the case

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of ship money. He said: "In the time of Queen Elizabeth, who was a gracious and a glorious queen, yet in the end of her reign, whether by covetousness or by reason of the Wars that came upon her, I know not by *what council* she desired benevolence But when the Queen was informed by her Judges that this kind of proceeding was against the law, she gave directions to pay all such sums as were collected back, and so I (as all the rest of our *house*, and, I think, of other houses too) had my twenty shillings repaid me again."

This same great and glorious Queen was not always so complacent when shown the error of her ways. When Richard Cox, Bishop of Ely, protested against the Queen's favourites robbing the Church of lands to enlarge their own estates, she sent to him this curt epistle: "Proud Prelate—You know what you were before I made you what you are. If you do not immediately comply with my request, by God I will unfrock you. Elizabeth."

These random quotations show that to influence the royal will, while it had far-reaching effects in Constitutional development, was not free from risk. It is interesting, and important for my present purpose, to point out that the Judges, long before they were accorded the place of independence which they have in our present Constitution, were a formative influence in refining and developing the Constitution which it is our duty and privilege to serve and, in serving, make more efficient. In earlier times the Judges were summoned to the parliaments and great councils of the Kingdom; it was because they were summoned by the King that they were members of the King's permanent council and not of the *Commune Concilium*. The latter council was always a brake upon royal powers. It contained the lords spiritual and temporal who, with the King, formed the three estates of the Realm. The Judges, however, were members of the King's Council, which was primarily an executive body and also discharged administrative functions. It is interesting to note that from the earliest times the Judges and other summoned Counsellors were regarded as assistants rather than members of Parliament. Stubbs, in his Constitutional History, points out they might have become a fourth estate of the Realm and so retained permanently their functions as law makers in the statutory sense. Actually, they came to be regarded as an auxiliary. The function of the Permanent Council was to implement the will of the Realm as expressed in the Great Council. This differentiation of function makes clearer the analogy which may be drawn between the administration of justice in the more technical sense by the Judges and the just administration which we are all engaged in providing.

In the development of the British judicial system there is noticeable the opposition of forces, leading at times to the hostility of

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individuals. There was the Great Council and the common law, ancient and authoritative. This law, to be operative, had to be declared, and the declaration was in some sense creative, for it made explicit what was previously implicit. It made definite what was previously inchoate, and these declarations, subject to any appeal to higher tribunals which was available, became authoritative, binding not only the present but the future. Over against this was the King's Council presided over by the Lord Chancellor. This Council was called upon to devise means of implementing the royal will and of giving effect to national projects. The contract between these two forces, personified by the Chief Justice and the Lord Chancellor respectively, may be described, without undue play upon words, as the objective and the subjective. The common law, which it was the task of the Chief Justice to declare and apply, seems to have been the expression of a common life which drew its *de facto* authority from the consent of the people. It had no other sanction, whether legislative or divine. It was, in fact, the law which the people of England obeyed. The Lord Chancellor, on the other hand, while sometimes described as the keeper of the King's conscience, was at other times clearly his creature and the instrument through whom he sought to put a curb upon the claims of the Chief Justice in respect of the authority of the common law. At a time when legislation was not as easily secured by the machinery with which we are now familiar, the conflict of these two opposing forces was often long and bitter. One such conflict was between Sir Edward Coke, the illustrious Chief Justice of the King's Bench, and Lord Chancellor Egerton. Coke seems to have been a match for Egerton, but later suffered at the hands of Lord Chancellor Bacon, who brought about his downfall, and was himself degraded subsequently.

I mention this conflict because it seems to me to reveal opposing forces, with which, notwithstanding the growth in power of the Legislature, the modern administrative officer still meets in the discharge of his duties. He has affinity with the Lord Chancellor in being an officer necessarily susceptible to the authority appointing him, and he also has affinity with the forward look towards developments which may be brought about by changes other than in the positive law. At the same time, the modern administrative officer should have regard to something which, I submit, is more akin to the common law. Judges are no longer the assistants of the Government and the common law is not as resourceful in meeting new situations as it was in Coke's day, but the need for both remains and may be met, I submit, in some measure by administrative officers dispensing administrative justice.

It is not, therefore, merely because of the common use of the

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word *administration* but because of a close relation between the administration of justice and administration in general that I ask you to consider how we public servants, upon whom falls in varying degrees the burden of public administration, may profit by turning to the Judiciary for guidance and inspiration. The place of the Judiciary in the community and in public estimation throughout the British Empire is so assured, and its acceptance so universal, that any further comment may seem to be superfluous. That the Judges are accepted with unquestioning confidence becomes abundantly evident when a doubt arises in the public mind over some matter which affects public welfare. An inquiry by a Judge is usually the accepted method of re-establishing confidence. What the Judge brings to the task is not chiefly, if at all, expert knowledge or technical skill, but rather a mental attitude and disposition. Recent inquiries in Melbourne and London respectively are illustrations of what I am describing. The resignation of a Commissioner of Police and of a Cabinet Minister were accepted as inevitable because of a Judge's comment apart from any legal sanction. In this informal way, no less than by Judicial acts in the Courts, Judges implement the will of the community and make articulate and decisive what otherwise would be nebulous and unsatisfying. The infrequency of such interventions in matters of general administration is evidence, we may hope, that administrative officers approach their tasks with a similar disposition and mental attitude.

It was my good fortune to be in the Law School when the chair was held temporarily by the late Dr. Jethro Brown, whose subsequent career as a Judge in South Australia was cut short by his lamentably early death. I remember gratefully his quiet enthusiasm as he insisted that the task was to help us to acquire the juridical mind. That mind is the true foundation of all judicial administration and it should be found, I submit, not only in Judges but in all administrative officers. Its presence is the community's safeguard against the discoloured justice from which some European countries have suffered, as, e.g., in the judgment of the French Judge who thought that the honour and safety of France was of more importance than Justice. If we seek to diagnose such an attitude we perceive that the incumbent of the judicial office feels himself accountable for consequences and for material results. In effect, he prejudges the case at the behest—though possibly the unspoken behest—of some other power. If, in the recent litigation by Mr. James which turned on the interpretation of Section 92 of the Constitution, the Judges had concerned themselves with the results of their judgment in terms of marketing and material welfare, the same discoloration of justice would occur. The homely English comment, "Hard cases make bad law," reveals the nature of the temptation which is to be resisted by the juridical mind.

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Consideration of this point brings up the whole question of the degree of independence which should be accorded to administrative officers. Into that question it would take too long to go at all fully. Let it suffice to say that if an administrative officer hears, after he has made a report or submission, that his views are unacceptable and he then revises the matter so that it may meet with approval, he has done violence to the juridical mind. However bluntly or however euphemistically his action may be described, the simple fact remains that he has surrendered his judgment to that of another. He has forfeited official independence. This is not to say that any judgment may not be open to review. But the review should follow and be a substitute for, and not a distortion of the earlier statement.

Allowing judicial action to be influenced by the supposed needs of some situation is a method which we associate with the "Star Chamber." It can be justified, if at all, only by national emergency. It still seems to be acceptable in Germany and Italy but is foreign to British genius. Henry Hallam has stated the English view in the words "Civil liberty in this Kingdom has two direct guarantees, the open administration of justice according to known laws truly interpreted; and the right of parliament, without let or interruption, to inquire into and obtain the redress of public grievances. Of these, the first is by far the most indispensable."

If that judgment is sound it gives to administration a very high place. Even if we do not insist on the comparison we may claim for administration an important and unique place in the development of the Constitution and the life which that constitution subserves.

What I am endeavouring to establish is that the linking of the administration of justice with administration in general is not fanciful. It is not seeking to import an analogy where none exists. It is true that the Judiciary stands apart from Government, but many administrative acts are taken only after Judicial approval, e.g., in the Child Welfare Department regarding the adoption of children, in the Public Trust Office, the Equity Office, the Bankruptcy Office and the Master in Lunacy's Office. In the latter case, the provision of Section 127 of the Lunacy Act is that the Court may upon the application of the Master or of the patient or any relative, friend or creditor of the patient, direct that such inquiries be made and notices given as may be deemed advisable, and may make such order in the premises as may be thought proper.

Apart, however, from that direct assumption of responsibility for administrative acts, the Judges give guidance and help to all administrative officers who let that juridical mind be in them which is also in the Judges. In bringing that disposition and mental

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attitude to bear upon their work officers help to give to public administration a prestige and a beneficent influence in the community quite apart from the material benefits which flow from efficient administration. None of us would grudge our engineer colleagues the high praise which the late Rudyard Kipling gave them:—

As in the thronged and lighted ways,
So in the dark and the desert they stand.
Watchful and wary all their days

That their brethren's days may be long in the land.

Nevertheless, we may claim that the highest function of the administrative service is not to provide material welfare or to secure technical efficiency in ever greater degree, but rather to keep in sensitive touch with the movements of popular will, and at the same time to preserve and adapt to new conditions the highest ideals of good government. Administration is the medium through which the popular will and the common weal are expressed. It would be surprising if the expression of both were not in some degree modified by the medium through which they are expressed. Only by such modification can public administration do justice to its work and to itself.

This seems the appropriate place at which to refer to the challenge which has been delivered to public administration in various forms and by various writers, the most distinguished of whom is Lord Chief Justice Hewart. The title of his book, "The New Despotism," seems to have been accepted as the correct designation of an influence in modern life with which, now that it has been pointed out to us, we are becoming more familiar. The new despotism is the control which administrative officers are exercising, largely through the framing and enforcing of regulations. In his Lordship's view the power to make regulations is dangerously large and dangerously uncontrolled. The degree of control which the Court has been accustomed to exercise is limited to deciding first whether the regulations and administrative acts are within the powers conferred by Acts of Parliament which usually employ very wide terms; and in the second place whether they are reasonable. The practice has now grown up of depriving the public of all access to the Courts in regard to regulations. That there is need for judicial control is evidenced by a regulation issued by the London County Council: "Each passenger shall immediately upon demand or, in case no demand shall have been made, before leaving the carriage, pay to the conductor the fare legally demandable for his journey and accept a ticket therefor." Nothing could be more apt—from the tramway point of view. The passenger has to see that the conductor does his job. If the tram is crowded, a single conductor may not reach the passenger before the latter has to alight. That is unfortunate, but the obligation rests on

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the passenger, who presumably has to travel on like the Flying Dutchman or the Wandering Jew until released from the hoodoo of the unpaid fare. The Chief Metropolitan Magistrate refused to enforce the regulation on two grounds:—

- (1) that it was repugnant to the general law since no act or omission can be a crime without criminal intent;
- (2) that it was unreasonable since it purported to make punishable acts of mere inadvertence.

On appeal, the Divisional Court, which included Lord Hewart, C.J., agreed that the Magistrate was right.

The Transport Officer from whose fertile brain that regulation emanated may have been most efficient as a transport officer—and he may have never heard of the common law or known any of its rules. He was a transport expert—"Let the cobbler stick to his last." The original of that ancient piece of doubtful wisdom—Let, etc.—is slightly different in form from the English translation, *Ne Sutor ultra crepidam*, "Let not the cobbler (go or look) beyond his last." But just because an officer does not look beyond his particular job he is in danger of proving himself to be an inefficient administrative officer. For his job does not stand alone. Public administration has a wholeness which each part should subserve. Our name is not Legion, though we are many, because we are also one in purpose and in adherence to great principles and high ideals. I submit that it should not be necessary to appeal to magistrates or divisional courts to protect the public from acts of injustice. Every administrative officer should be the custodian of administrative justice and should not prostitute his ever-widening powers to serve a particular purpose or gain a particular end by means that are out of harmony with the common weal conceived as clearly and as worthily as the officer is capable of doing. The sacrifice of the greater whole for some immediate gain is the penalty of having affairs administered by short-sighted and narrow-minded men. Tragedies of this kind are being enacted in Germany and Italy. The leaders of the Government in those countries are like the man in Charles Lamb's whimsical story, who by chance burnt down his hut and roasted his pig in doing so. For the moment he had an ample supply of roast pig and, finding it to his taste and to the taste of others, he set the fashion in burning down huts in order to roast pigs. It is the task of public administrators to supply the community with roast pig, without the folly of burning down the hut. They must discover and devise means of meeting desires expressed in Acts of Parliament, if possible, without sacrificing those ideals and principles in which we live and move and have our being. If, e.g., in the rising enthusiasm for education in this or that direction, we devise educational methods that give us what we

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seek and at the same time beget a spirit of discontent and degrade education into a purely mercenary trade, then our achievement is not true success.

It may be that administrative officers are often left little alternative or room for initiative. It is true that legislation is always introduced into Parliament by a Minister and, viewed formally, the Bill as presented is his doing, but in fact the permanent officials are consulted. Lord Hewart would say that they often dictate the legislation and he fears the increasing powers of officials who are not controlled by any recognised constitutional methods. In so far as the exercise of any power is irregular it is objectionable, but may it not be said, in answer to Lord Hewart's objection, that the power of the official is not necessarily dangerous. It would be if it were irresponsible. That is true in respect of any power, including that of Judges, as historians remind us. But Judges are not suspect. They have the confidence of the community. What is there about them to warrant the people's trust? This question may be answered usefully, not by any attempt at panegyric, but by noticing some outstanding characteristics, which even he who runs may read.

In the first place, the Judges have learning. The legal profession demands breadth of intellectual culture as a foundation for expert knowledge. Not only is a considerable degree of intellectual culture required from any entrant into the legal profession (that is true of many professions), but eminence in the legal profession and promotion to the Bench is reserved for those who go far beyond formal requirements. It is not merely that a broad cultural basis is essential to any extensive intellectual achievement. That is undoubtedly true, and it is the justification of much toilsome effort demanded of those who aspire to share in professional life. But even more important is the effect of truly cultural pursuits upon the personality of individuals. Whatever one's philosophy of life may be, one cannot fail to recognise, in those who devote themselves to learning in its broader aspects, an ampler capacity for the task of exercising judgment. The empiricist and the copyist, however technically efficient in achieving results, never get the personal enrichment that comes from the pursuit of knowledge for its own sake. Only thus can men gather "the slow uncertain fruit of an enhancing toil."

It would be presumptuous on my part to introduce into this statement encomiums of a personal kind, but in the broadest view possible I may safely claim that in British communities the Judiciary, and those members of the legal profession from among whom Judges are sought, are characterised by a degree of intellectual culture that has given to their discernment and their judgment a basis of stable personality which is the promise and the potency not only of resistance

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to what is ulterior and unworthy, but also of sympathy that is "generous" in the true sense of that much-abused word. If one may so express it they answer rather than obey the calls upon them. This body of men, I would remind you, and this system of justice, has replaced what was described by Hallam (in the passage which I quoted) as Caverns of Murderers. Judges appointed to their office at first by the Sovereign and later by the Government, without any of the safeguards applicable to other branches of public service, and controlled by no external force other than tradition and the confidence of the community, have become the most stable element in British communities beset, as all are to-day, by disturbing and disruptive influences.

Bearing this in mind, it is important to consider whether administrative officers, as such, whatever their departmental medium of service may be, cannot make progress along this same high road towards a position in the community as stable and as salutary as that of the Judiciary. However heartily one may agree with Lord Hewart that the new despotism is dangerous and may even be mischievous, the escape from the danger and the mischief will, I submit be by changing the quality rather than the quantity of administrative acts. The learned Lord Chief Justice reminds his readers that often there is no real Parliamentary approval for the administrative acts or for the regulations which acquire the force of law. But may we not reply that Parliamentary approval does not necessarily confer any real benefit. *Volenti non fit injuria* is a legal maxim of great antiquity which teaches us that what comes to us by our own consent does us no wrong. *Injuria* must be translated as "wrong" or "injustice" but not as *injury*. But injury is what we seek to avoid. It is a poor consolation, after one has suffered injury, to be told *that* it is neither unjust nor wrong. If a dentist were to ask the patient whether he was to extract a tooth, the pain and discomfort would not be lessened by an affirmative answer; while a negative answer would lead to an alternative which had little to recommend it. Is it not a fact that we have reached a stage in national development in which administrative acts must determine a large part of governmental activities? Is this by arbitrary choice and of our own volition or has it been forced upon us by circumstances over which we have little, if any, control? If, out of every £1 of revenue raised by taxation and other governmental machinery, at least 13s. 4d. goes to pay commitments which are inescapable and only the remaining 6s. 8d. is subject to Parliamentary control, is it not a fact that we have reached a stage at which more importance is to be attached to administrative than to legislative acts. If the burden cannot be made light, at least the yoke should be made easy and that is peculiarly the function of the administrator. And no yoke, however

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ingeniously fashioned, will be regarded favourably unless its distribution of the burden is fair and just.

What qualities in an officer will fit him for the task of determining that distribution? The mere fact of election on a popular franchise will not qualify him for that task any more than for the Judiciary. It may well be that the presence of elective representatives and their paramountcy in the last resort is an essential safeguard, but, in respect of the innumerable acts for which no detailed and particular legislative approval has been or can be given, may it not be hoped that the administrative service is as reliable as the Judiciary would be if it were still concerned with them?

The aim of public administration should be efficacy as well as efficiency. Like the judicial system it should attain to a place in public esteem which would warrant the community in leaving to it the task of maintaining its own standards and enforcing upon its members an adherence to rules of conduct which would be the community's safeguard. The white man's burdens are ever increasing in extent and variety and the task of distributing the load calls for qualities which are not easy to classify. Panacea methods, as Professor Bland has reminded us recently, are discredited, and while political methods are necessary in order to induce a greater willingness on the part of the community to bear the burden, the capacity to do so depends largely upon the soundness of the methods adopted. In passing judgment on methods, length and breadth of vision are the criteria of sound judgment. An immediate success may lead to ultimate failure, as was found apparently in some of the Russian administrative experiments. While the administrative body should not usurp legislative functions there is, I submit, no reason why they should not be the critics of proposed legislation as well as the administrators of what is finally enacted. For example, when American legislative experimentation began in post-war years we heard reports of "brain trusts" and when the advisers appeared to be putting too heavy a brake on legislative activity they were displaced, but the brake was applied ultimately through the Courts in a much more costly method. Professor Bland tells me that reference has been made recently to the possibility of avoiding failure in the Courts by a change in the personnel of the Judges. If that method is adopted by President Roosevelt he may make sure of his roast pig but he will certainly be burning down his hut.

As I said earlier, it is essential not only that justice be administered but also that people should believe that it is being administered. When judgment is finally given by the Courts in British communities there is no sense of resentment against the Courts. This, I submit, is not merely because there is no further appeal open to litigants but

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also because the community accepts the decision as just. I covet for the administrative service an analogous function but at an earlier stage of the proceedings. Already it is conceded in the case of the tariff commission and other commissions to which wide powers are given. It seems to me that it is just as reasonable to expect that no legislation shall be passed without the antecedent criticism of proficient men as to expect that it shall be made nugatory by the Courts when in their judgment that is its proper fate. As Stubbs points out in his "Constitutional History" the Judges somewhat narrowly missed becoming a fourth estate of the realm, and were for a time an integral part of the legislative machinery. Is it unreasonable to think that the Administrative Service may play a part as distinguished and as salutary in determining the conditions under which we are to live. If such a change be for the real benefit of mankind—and not, e.g., merely to facilitate Governmental activities—there would seem to be no valid reason why it should not come about. To some minds it may seem outrageous, but so did adult suffrage and other epochal changes in the development of democracy. Majority rule and representative government are now accepted not only as inevitable but as substantially just. What I am suggesting is that a share in the governmental processes may be given to people who are public servants (that classification we share with the Legislators and the Judges) and who are also in some sense trustees; and trustees in whom are vested discretionary powers. The Judges have withdrawn from the position of advisers and become Judges in the strict sense. Their going was a loss to the Crown, as has been realised frequently. Within the last decade the Judges were approached, and refused, to express their views upon legislation when it was not necessary for them to do so in any judgment on actual litigation. I submit that the lack of their services can be made up in appreciable measure by the administrative public service, provided the members of the service possess qualifications adequate to the task and provided they are accepted by the public as having those qualifications. This latter proviso is important. In that connection administrative officers must take to heart the comments which are being made with increasing frequency and emphasis regarding the new despotism. If, for example, a transport officer is placed in the position in which he regulates transport and at the same time is a competitor with those whom he regulates, he is obviously handicapped in his task of reassuring the public. When a government department enters into trading pursuits (e.g., timber yards, bakeries, Monier pipe making, etc., etc.) the administrative officer, with ideals such as those I have been attempting to describe,

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finds himself at times in an embarrassing situation. He is clothed with governmental powers and presumably intended to use them, but he may be a competitor—and the commercial community has a very keen appreciation of that possibility. Hence arises a feeling of resentment and suspicion. This problem is well illustrated by a case which occurred in the Australian Courts. The Government of the Commonwealth set up a Royal Commission to inquire into the sugar industry. This was a very usual governmental method of obtaining information. The Colonial Sugar Refining Company was summoned to attend and give evidence on matters which no trader would dream of disclosing to the public, including possible competitors. The Company refused to comply with the demand and was proceeded against. The High Court Judges were divided in their opinions and granted leave to appeal to the Privy Council. There judgment was given in favour of the Company and the Royal Commission was held to be *ultra vires*. It is of special interest to us that the judgment of the Privy Council was delivered by Lord Haldane, who was the first President of our parent Institute of Public Administration. May I be permitted to suggest, with respect, that the Privy Council, while cutting off the immediate supply of roast pig, saved the hut from the hand of the incendiary? To emphasise what I mean, I refer to the *Sydney Morning Herald* of 1st August, where there is the report of an interview which our Premier had with Dr. Goebbelz, the Minister for Propaganda in Berlin. The latter said that the German Government was engaged on more important work than giving absolute liberty. The British administrative officer is well content to do his work subject to whatever hindrances the possession of that liberty by the people may impose upon him. He will not seek—and should not be asked to take—short cuts to efficiency, when the rest of the community must travel by the high road.

May I mention an application of this rule which is of special interest to myself. By Section 120 of the Lunacy Act I am empowered to summon persons to give evidence upon oath regarding matters which I require to know for the proper discharge of my duties. It would be extremely convenient to get information from trade competitors of the patients whose affairs are being administered in the Master in Lunacy's Office, but obviously it would be unjust to do so. If I made the attempt, I would pay for my indiscretion many times in the loss of voluntary help which I now enjoy. Nothing could be more foolish than to sit in judgment upon the work of others without a full knowledge of all the facts and a sympathetic understanding of them. But with that prefatory statement one may ask whether

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administrative sagacity had no better alternative than the following provision which appears in Act No. 60 of 1931 of this State:—

“ every holder of existing securities which have not been converted into new securities in accordance with the provisions of the said Act shall, notwithstanding that any holder of those existing securities may have signified or may signify dissent, be deemed to have made an application in accordance with Section 9 of the said Act for their conversion into new securities. . . .”

A similar question arises when one hears that a gentleman has been compelled to leave Australia because he has been unable to understand a sentence in Gaelic, which well over five million of the rest of us could understand no better than he. That the gentleman was to leave was entirely a matter for the legislature. The method of telling him so—in other words the implementing of the legislative decision—is a matter in which administrative officers are peculiarly interested. It may be there was no other way. All that I am submitting is that here the community is entitled to look to the administrative officers for an assurance that no more apt administrative procedure is possible.

I have referred to the cultural basis of that quality of personality in the Judicature which has begotten a sense of security in British communities. If Public Administration is to have a place in public estimation comparable with that of the Judiciary it must emulate the latter in securing as a first essential a broad cultural basis for its administrative capacity. In determining how far it must go in this direction I think the criterion must be the benefit which such culture bestows in developing personality capable of sustaining the weight of responsibility and meeting the stress of influences from various quarters to which it will be subjected. I do not suggest that only the learned and the intellectually cultured are trustworthy—I know well that such is not the case. What I do affirm is that in the case of the Judiciary intellectual culture has, as a matter of history, been associated with the development of the qualities which justify the trust reposed in them. In public administration damage may be done not only by those who are not well disposed towards the common weal, but also—and perhaps more insidiously—by those whose eagerness is without discretion and who are unaccustomed to take long views—“ this way and that dividing the swift mind.” No doubt eagerness and zeal are valuable, but they led on one occasion to the opening of a wooden horse inside the walls of Troy. The Trojans in their zeal paid little heed to the more reserved attitude, which proclaimed *Timeo Danaos et dona ferentes*.

Another method of development, noticeable in the British judicial

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system, is the training and advancement which come through constant and searching criticism—habitually conducted with fairness and rectitude. No great Counsel ever attained to distinction at the Bar or qualified for elevation to the Bench merely by the work he did in his Chambers—immensely valuable as that work often is. It is in open Court, subject to the watchfulness of opposing Counsel and to the enlightened scrutiny of the Judges that he must prove himself. Equally true is it that Judges have shown themselves great, not by any immediate result flowing from their judgments. (It matters nothing that the judgment passed upon the application of Mr. James on the construction of Section 92 of the Constitution makes or mars a marketing scheme.) The Judges' fame is determined by the soundness and clarity of their interpretation of the law and their contributions to the great body of the law which is the nervous system of a civilised community. Let us consider whether, in any way, the public service is or may be subject to any challenge such as that which greets Counsel when he comes into Court. There is no challenge to the administrative officer so direct and continuous in character; but undoubtedly there is challenge. The Auditor General, e.g., is obviously required to challenge, and his sphere of operation is over a wide field. To resent his challenge is obviously foolish. To meet it as strongly and vigorously as one can is the right of every administrative officer. But if that attitude of friendly challenge—in which “a man sharpeneth the countenance of his friend” is to be maintained in the public service it is essential that conditions favourable to it, and yet not injurious to efficiency in other directions, be secured. One of the wisest among my older friends, and many years my senior, once said to me that the difference between youth and age is that the young say many wise things without knowing how wise they are, and the old say many foolish things without knowing how foolish they are. It is in accordance with the best traditions of the Court to give instant recognition to the worth of arguments from Counsel, however recent his date of admission may be. It is not so easy to reproduce this attitude in the Public Service, but it is obviously fair and ultimately profitable.

I have endeavoured to lay stress upon the intellectual element in the juridical mind, chiefly because that element is less personal and more objective. It is capable of development by direct means and can be tested by objective standards. But I am well aware that in the juridical mind there are elements which are not merely intellectual nor cultural in the sense which is associated with learning. There are elements which are ethical, about which one feels that reticence is more becoming—“Let another praise thee and not thine own mouth.” It is permitted us, however, to let another

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praise us, and the following paragraph from *The Round Table Magazine* of June, 1913, may be quoted here with the less embarrassment because the writer is referring to the English Civil Service:—

“The confidence of the country has hitherto been well kept by some thousands of Civil Service clerks whose salaries, beginning at a hundred or two per annum, rise slowly to something which in the end is far short of four figures on the average. The plums are a very few posts worth between fifteen hundred and three thousand a year. Many a secret, which if it were known betimes upon the Stock Exchange would be worth a fortune, is in the keeping of men with salaries of a hundred pounds or so per quarter. Is the virtue of these men never assailed? Are baits never set to draw them into a traffic of information, or into the use of their official influence? Is temptation never set before them in insidious ways? What private secretary to a Chancellor of the Exchequer, or any other head of a great Government department, has not at one time or another had a ‘safe tip’ dropped to him confidentially by some negotiator with ‘the Office,’ who is grateful for past favours or hankering after favours still to come? And these ‘tips’ may be in respect to matters so remote from anything governmental as to be in themselves innocent enough if the motive of the giver were entirely so (which it never is), or if the public servant were *not* a public servant.”

In so wide a field of thought as that of which I am speaking it is hard to avoid being desultory. This would be more regrettable were it not that you are already familiar with the field and able to supply much that has been left unsaid. It may help towards greater coherence if I now set down in the form of questions some of the ideas which I have been trying to bring to the surface for our discussion.

1. Have not the Judges, in a less restricted manner than at present, contributed to make the structure of the British constitution more suitable for its great destiny?
2. Has not learning played an important part in developing the judicial spirit and disposition?
3. As the common law becomes rigid and less fertile in methods of meeting human needs; and as even the more progressive Equity jurisdiction becomes set in precedent, is there not greater need for a medium sufficiently sensitive and sufficiently strong to adapt itself to the more rapidly changing conditions of life and the demands of an aroused and disturbed democracy?

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4. Is not legislation by Parliament alone unequal to that task?
5. Is not the new despotism the readiest, if not the best, response to the call for some agency to make up what was lacking in the legislature?
6. Is not an opportunity presenting itself for the Administrative Service to show that it can reproduce the spirit and disposition of the Judiciary in its approach to the task of solving the community's problems?
7. Does not the task devolve, not upon individuals merely, but upon Public Administration as a whole?
8. Are there methods, analogous to those used in the Judicial system, whereby the Administrative Service may gather a wealth of learning from which the less experienced may be helped to become efficient?
9. Is not the tradition of silence and anonymity already being abandoned in many directions? Is not the Administrative Service coming into view as a necessary and welcome factor in national well-being?
10. Is not administrative justice the principle round which will gather sound judgment, explicit statements, efficacious methods, and that trustworthiness which in the last resort is the only solution of the problem of living together?

To all these questions I submit an affirmative answer for your consideration.

Administration of the Ottoman Empire under Suleiman

By E. N. GLADDEN, Ph.D. (Public Administration)

FOR many reasons the administrative history of the Ottoman Empire at the height of its power under the brilliant leadership of Suleiman the Magnificent (1494-1566) is of considerable interest. In the first place the great Mohammedan power ruled a considerable area within the Mediterranean sphere and at many points threatened the supremacy of the struggling civilisation of the West, and the administrative methods that rendered this possible could not, in any case, be without importance. In the second place, the peculiarities of the Ottoman governmental scheme produced an administrative system, unique in many respects, which furnishes interesting parallels in administrative theory and decisive warnings of the dangers of achieving a high standard of competence at the expense of individual initiative.

The founders of the Ottoman Empire, the Turks, were at the outset a nomadic community steeled, by their struggle against the conditions of the Asiatic steppe lands, to build up, under the stimulus of military conquest, an expanding system of overlordship, which the accompanying growth of the Mohammedan religion served to consolidate and preserve against the normal tendencies to disintegration. It is interesting to note that while the sacred law contributed the impassive power of unbreakable custom to the Empire, the active power rested with the army which remained an executive unity: so that the limits of geographical expansion were eventually reached when this army was no longer able to do more than defend one or other of the main frontiers against the attack of the two important neighbouring powers, viz., Austria on the north-west and Persia on the east. The essentially missionistic zeal of the Moslem faith, on the other hand, was an important factor during the most active period of expansion, as will become apparent when the method of recruitment is considered.

Government and Church

Before turning to the administrative aspects of the Ottoman system it will be as well to sketch briefly the form of its governmental

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machinery. At the head stood the Sultan. He was the unique wielder of power and was in no way responsible to the people. Certainly his autocracy was tempered by the fundamental Turkish predilection to follow custom and antipathy to change, and although paramount in religion as well as politics, he usually led in his allegiance to the sacred law as interpreted by the most learned members of the religious schools.

The Sultan had his Cabinet, the Diwan, which, however, it became his practice to leave to the control of his Grand Vizier or prime minister. This council sat four times a week, chiefly to decide administrative and judicial questions. It included *ex-officio* members of the political side and two representatives of religion. Thus it brought into close contact the two sides of the system, the political and the religious, which were otherwise separate. The Sultan's approval was necessary at the close of each Diwan to render its decisions valid and irrevocable.

The separation of the Ottoman system into two distinct Institutions, designated by Lybyer¹ as the Ruling and the Moslem Institutions respectively, is one of its outstanding characteristics. The Ruling Institution was not strictly speaking a government in the modern sense; it was an army and an administration that practically ignored the interests of the people: it was a slave system subject without appeal to the whim of the Sultan. The Moslem Institution was even less a church as we understand such; it included all Moslems outside the Ruling Institution and its leaders were learned doctors rather than priests. Politically it took the place of the modern written constitution, and the chief Mufti, in interpreting the sacred Law at the Sultan's request, acted as the preserver of the constitution very much in the same way as the Supreme Court in the United States to-day.

Administratively, our interest in the Ottoman system rests entirely in the Ruling Institution. As already mentioned this Institution was primarily an army. Its administrative functions were largely concerned with the collection of revenues and the provision for its general maintenance. In the army there were two important sections; the Janissaries, or infantry, famed and feared for their discipline, bravery and ruthlessness, and the Spahis of the Porte, or cavalry. On the administrative side were the officers of the harem, the servants of the palace, and the various officials under the Viziers (who were the leading administrative officers) and under the Defterdars (who were responsible for finance). These services were not clearly defined and members of the Ruling Institution were eligible for all branches.

It is convenient in discussing the form and working of an official

¹ The Government of the Ottoman Empire in the time of Suleiman the Magnificent.

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hierarchy to consider separately the problems of recruitment, training and advancement of officers separately, and this method will be adopted here.

The Services: Recruitment

The recruitment of the Ruling Institution was undoubtedly the most characteristic element of the Ottoman system. In the words of Lybyer, "The Ottoman system deliberately took slaves and made them ministers of state; it took boys from the sheep run and plough tail and made them courtiers and husbands of princesses; it took young men whose ancestors had borne the christian name for centuries and made them rulers in the greatest Mohammedan State, and soldiers and generals in invincible armies whose chief joy was to beat down the Cross and elevate the Crescent." Thus, it will be gathered, all members of the Ruling Institution were recruited as slaves or "Kullar," and slaves they remained until the day of their death. Yet their slavery became a mark of favour; their privileges gave them the advantages of nobility. Their position was so envied that it was necessary to enforce stringent rules against their recruitment from among the free Moslems who formed the bulk of the community. Sons of "Kullar" were not eligible for membership of the Ruling Institution, with the exception of children of Spahis who might enter with the Sultan's permission. Grandchildren were rigidly excluded.

It has been estimated that the Ruling Institution numbered 80,000, and an annual wastage of about 10 per cent. gives some idea of the recruitment problem. Entry was open to Christian boys, usually between the ages of 14 and 18, and recruitment was made by capture, purchase, gift or tribute. The levying of the tribute boys constituted the most systematic form of selection and produced the best officers. Every four years a body of skilled selectors travelled through the provinces from which tribute was due and chose the most suitable youths. A quota was assigned to each district. There was no appeal from the decision of the Sultan's officers. Clearly many must have feared this periodical process which might well take from parents an only son, or at successive periods a number of sons, yet the fate of the boys selected might well be envied since it opened out a whole world of opportunity beyond the dreams of those left behind.

This system was primarily designed to take the best talents from among the subject Christians of the Sultan and to add them to the Mohammedan section; for it was necessary that all those selected should become Moslems if they had any desire for advancement. Force was not used to this end; but few failed to embrace the new religion, at least in appearance, and many became its most ardent proselytes. The absence of family ties and the fact that all honour

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and wealth came from the Sultan, ensured a high degree of allegiance from these Kullar.

Training and Promotion

Much care was spent upon the training of the recruits. Busbecq, a contemporary Dutch observer, in his "De Re Militari," says: "The Turks rejoice greatly when they find an exceptional man, as though they had acquired a precious object and they spare no labour or effort in cultivating him; especially if they discern that he is fit for war." The recruits were critically examined with regard to their physical appearance or intellectual promise, and assigned to two classes. Those of the greatest promise, about ten per cent. of the total, were assigned to the higher training. To be chosen for this group was a great advantage since it not only meant access to a literary as well as a practical education, but also ensured contacts with the great, even perhaps with the Sultan himself. But those assigned to the lower and larger group were not without hope of advancement to the higher ranges if they proved to be of sufficient merit.

Members of the first group were attached to the households of provincial governors or of high officials of the capital. The most coveted positions were those of the pages in the Sultan's palaces. The cosmopolitan nature of this school of pages is strikingly illustrated by the variety of nationalities represented therein; it is recorded that at one period these pages included Bulgarians, Hungarians, Transylvanians, Poles, Bohemians, Germans, Italians, Spaniards, French, Albanians, Slavs, Greeks, Circassians and Russians. During their period of training the youths were taught horsemanship and the arts of war. They also learned a handicraft. The training was intensive and the discipline strict; tests were carried out at every stage and every effort was made to discover the individual's particular aptitude and to cultivate it. Pay was given, increasing each year. At the age of 25 the trainee was ready to take up a permanent post in the Ruling Institution; the majority entered the regular cavalry, became Spahis of the Porte, while some immediately received more responsible posts according to their achievements.

The rest of the recruits, the lower group, were destined to the infantry, or corps of Janissaries, which they also entered at about the same age. Their training was largely of a practical nature, though they were allowed to learn to read and write if they wished.

They spent their first two or three years in the service of richer Moslems, who were required to employ them on hard field work in order to improve their physique. They were then tested as to their knowledge of Turkish and, if satisfactory, were assigned to public

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works in the capital, on which the arduous nature of their labour was maintained. During this period they were expected to learn some trade useful in war. To complete their training they were attached to the messes of the Janissaries, to serve and to learn; and as vacancies arose they were given full status in the infantry of the Ottoman Empire. Certain members of the lower section of recruits were allocated to look after the gardens and palaces of the Sultan. These did not usually become Janissaries. Their avenue of advancement led through the transport, commissary and artillery services of the army or to the supervision of the imperial stables and administrative posts of a type distantly similar to the manipulative, custodial and messengerial positions in the modern State Service.

The system was designed to facilitate the advancement of the most talented. Favouritism was, of course, possible but, in the days of the Empire's greatest achievement, not common; the efficiency principle was so ingrained in the whole scheme of Moslem expansion. During that period the demand was greater than the supply. War on the one hand and territorial accession on the other ensured a steadily increasing number of higher and more responsible positions. Individuals were carefully observed and tested; the upward movement was not automatic. There were no social or economic class restrictions upon the Kollar's eligibility to any position; unless we regard a natural lack of ability as the inevitable mark of the Ottoman proletarian's failure. Rewards both in wealth and dignity were considerable and increased more than proportionately at each step. At the same time the punishments increased in the same way; so that the highest officers were subject to the death penalty for the least dereliction of duty or undue assumption of power. There was no appeal from the sentence passed. The Sultan's decision was final.

Administration: General and Financial

Something may now be said as to the general nature of the administrative machine. It was, as we have already indicated, inextricably interwoven with the all-pervasive military organisation. Military officers became administrative officials and vice-versa. For example, the Agha of the Janissaries was both general and minister of war. He came from the college of pages and was aided by his lieutenant, by a chief scribe and a bureau of clerks. He directed the enrolment of the Janissaries, the distribution of their pay, their promotions, their location, the purchase of their supplies and clothing and all the other business of the corps. In other words he not only commanded the Janissaries in the field but also controlled the organisation

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which provided for their administrative needs, and in this latter task he was assisted by a staff consisting of executive officers and clerks.

The very nature of the clerical work of the age called for laborious methods. There were no labour-saving devices and the office routine was of the simplest form. The Turk had a strong liking for scribbling and this leaning, coupled with the demand for complicated verifications and checks, encouraged the growth of red tape and bureaucracy. In the later stages of the Empire these methods of check and cross-check became so complicated and time-destroying that instead of bringing security they defeated their own ends in complete confusion.

The organisation of the financial administration in the days of Suleiman is very interesting. At the head stood the Defterdars, who controlled large geographical areas and had access to the Sultan. Between them and the Treasury Department stood a number of supernumerary officials, including the two chief bookkeepers. The Treasury Department itself consisted of 25 separate bureaux each with its chief and a number of clerks of different grades. The total personnel amounted to more than 800. Each separate bureau dealt with a different functional field, but there was much overlapping and very little plan in the assignment of functions, since the different bureaux appear to have been set up from time to time as new needs arose. Some bureaux dealt with receipts, others with payments; some covered certain geographical areas, some dealt with classes of individuals, some dealt with specific types of transaction. The chief aim seemed to be to set off separate functions as far as possible and to leave them to special sets of officials to control. Decentralisation of this sort was inherent in the practical attempts of one man to control such a vast system, and the result, with growth in complexity, was inevitably a lack of co-ordination and rational planning. The higher officials of the Treasury Department were selected from among the quieter and more studious members of the school of pages; the lower officials were in the early days slaves or scribes, but here Moslem-born officers began soon to displace the Kullar, since the required talents were more likely to be obtainable from outside the Ruling Institution.

The system had its period of prodigious success, culminating, perhaps, within the reign of Suleiman. Some indication has been given as to the chief reasons for its great achievement. That it should share in the common mortality of human institutions is not a matter for surprise, but what, we may well ask, were the actual reasons for decline in this case? They were partly external and partly internal. The Empire ceased to expand and to continue to create an extending demand for a pressing flow of talent. The Sultan, on whom so much depended, began to lose his interest in maintaining an active standard of efficiency. He tended to delegate his functions to brilliant

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subordinates who would in the main think more of their own interests than of those of an institution: the lack of social ideas prevented any growth of an ideal of community service, while the need for wealth to maintain the splendour of the court led to the introduction of sale of offices, that most dangerous source of corruption which always lays in wait for any autocratic system of appointment. Lastly, the desirability of the kollar's terms of slavery, his access to wealth and honour, always acted as a tremendous attraction to those free-born Moslems who had the ambitions and often the talents to offer to the service of the Sultan. It was not possible to exclude them once the original rules of service were relaxed. The Ottoman system failed because, having admirably solved the problems offered by a particular environment and set of conditions, it was unable to formulate machinery that would enable it with equal efficiency to react to the conditions of a changing world.

Summing Up

What lessons in public administration are supported by Ottoman experience? The following five are suggested for consideration:—

- (1) Administration must adapt itself to changing social and political conditions. Technical efficiency may serve brilliantly the problem of the moment, but only those institutions which have as part of their essence the faculties of adaptation and renewal will be able to evade the persistence of social decay.
- (2) An efficient administration can be improved by the special training of its members.
- (3) Since it was the aim of the Ottoman system to fit the square pegs into the square holes, steps were taken to ensure that those in the lower class who were subsequently found to have abilities suitable to the higher should be advanced. Ample facilities for such transfers are even more urgently required in any system where the nature of class divisions rests, even in the smallest degree, on social distinctions.
- (4) The need for constant simplification and planning of administrative processes—to secure essentials and avoid unnecessarily involved methods of a bureaucracy—was not provided for in the Ottoman system. The results were serious.
- (5) The Ottoman system was in many ways a “ tour de force ” which achieved a brilliance that theory would not have dared to prophesy. Ultimately its success depended upon inspired leadership and hereditary genius: administration requires a more dependable motive power. Democracy has one supreme advantage; its gradual substitution of the ideal of community service for that of personal allegiance.

Reviews

National Income and Outlay

By COLIN CLARK, M.A., University Lecturer in Statistics, Cambridge.
Pp. xix+304. (Macmillan & Co. Ltd.) 12s. 6d. net.

THIS volume brings up to date, and greatly extends, the author's previous work on the National Income, 1924-1931. It is the most complete and thoroughgoing examination of its subject that has been attempted, and presses into service all material that can be reasonably used to reach or indicate positive conclusions. Criticisms of former work have been openly studied and noticed in practice. Mr. Clark was a pioneer in bringing in the statistics of social insurance to check and aid extrapolation from the occupational census, and has followed this course with much greater caution than before—he regards the reconciliation as "quite the most tedious and difficult statistical problem" he has encountered. We must be grateful for his pioneer work in this field.

In his opening chapter he briefly states, without much theoretical disquisition, the chief British ideas about exclusion and inclusion of particular types of "income." He makes an important innovation in his inclusion of "income" from rates and indirect taxation, the reasons for which are very sketchily stated and unconvincing. It is not true that "all forms of customs and excise duties are deductible expenses for the purpose of tax assessment" and it is precisely because some are *not*, that the dilemma of duplication arises. Similarly, there is not a single incidence for local indirect taxation. Nor is the reliance on the effects entering into the cost-of-living index number really justified. If £10 is paid to a teacher out of taxes paid by me from my income, it is not very material whether I pay it *via* income tax, which does not raise prices, or *via* tobacco duty, assuming that my consumption of tobacco is restricted by £10 worth in either case below what it would have been. I could have paid the teacher direct by an equal restriction of my tobacco, when there would have been no question that his services and mine, as valued in our salaries, should both enter into the computation of national income. But why include my full income, the teacher's income, and also add the £10 duty I pay? The huge sums paid in rates and

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indirect taxes go largely to pay wages and salaries. If every one with an income from whatever source is enumerated and the services rendered evaluated and brought into the total of national income, there can be no case for adding the moneys *out of which* they are paid. Continental writers want indeed to exclude, on the ground of double entry, incomes for services derived from other incomes by taxation, and we resist that conception. But Mr. Clark wants to go in the opposite direction and include them twice. His reasoning on this matter is to me very confusing, and as the sums dealt with by him are very large, the innovation is not conveniently handled. Again, it is not "administrative impossibility" that accounts for amortisation of mines not being allowed in taxation, but a decision of economic principle, as reference to the R.C. on Income Tax 1920, and similar literature would indicate.

Mr. Clark approaches his estimates by analysing the population and income earners, and using the insurance statistics freely for the purpose, in order to get the "overlap" of non-income tax earners which have to be separately computed. His book has advantages of new material in the 1931 census, with particulars of unemployment; in the Census of Production 1930 details; in a low exemption limit for Income Tax brought in for 1931-2, and in new index numbers of wage rates.

He gives a table of rates and taxes added to national income amounting to 446 m. £ in 1924 (plus 40 m. £ employers' contributions to social insurance, etc.) and 532 m. 5. in 1935 (plus 54 m. £). It is not surprising then that we get seven estimates for 1924:—

Net income as determined in this book ...	4,035 m. £
Bowley and Stamp as given	3,803 m. £
Adjusted to new definition	4,255 m. £ (or 452 m. £ more)
Sir Alfred Flux as given	3,975 m. £
Adjusted to new definition	4,226 m. £
Colin Clark as given	3,586 m. £
Adjusted to new definition	3,977 m. £

Mr. Clark might justifiably have spent much more time in reconciling and justifying this formidable array of differences, for he has lightheartedly started a hare that looks suspiciously like heading for a mare's nest. The theoretical handling of this problem from an economic point of view would need to go far beyond the limits of a review. He has given at least five different estimates for 1931: 3,499 m. £ (The National Income), 3,891 m. £ and 3,774 m. £ (Econ. Journal, June, 1933), 3,655 m. £ (Econ. Journal, September, 1934), and 3,889 m. £ in this work. It would have been useful to have had

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a short "reconciling" statement making the causes for the differences clear to everyone.

Mr. Clark also adds for the "writing down of inventories" sums varying from 74 m. £ in 1926 and 23 m. £ in 1928, to £251 m. £ in 1930 and 51 m. £ in 1932, and for nine years a total of 702 m. £. The reasons and computations given in Appendix III apply only from 1931, but they do not account for such a huge total (on a stock basis averaging about 1,600 m. £) due to the principle of valuing "at cost or market value, whichever is lower," over the period (from 1926 to 1934). The method of valuation *shifts*, by secret reserves, part of the realised profits of years of falling prices, into years of rising prices—it rearranges profits but does not permanently annihilate them, as Mr. Clark's results would suggest, and when a price level is restored after a period, the adjustments for the intervening years plus and minus, ought to cancel out. Moreover, if a business turns over its stock three times a year, it is only the fall in the last four months that affects the secret reserve. This understates the profit of the year, but the first four months of the next is swollen by it—all stock purchased and sold in the year liquidates itself in the actual results. At the end of any particular year the secret stock reserve represents *all that is due to this cause* from the beginning of the business up to date. The results are not additive, as Mr. Clark makes them appear.

Space fails for a detailed examination of the rest of the book at the many points open to comment:—

- (1) The distribution of the product of industry—in which the percentage going to wages is shown to have varied from 39.5 in 1911 upwards to 42.8 in 1931, and 40.5 in 1935, while profits and interest went from 33.8 per cent. in 1911 down to 18.8 in 1932, and 25.4 per cent. in 1935;
- (2) The redistribution of income through taxation;
- (3) The alternative determination by way of spending;
- (4) The accumulation of capital;
- (5) Prices and real income;
- (6) Historical statistics of national income;
- (7) Productive sources of income;
- (8) Prices and costs in the trade cycle; and
- (9) The rate of economic progress.

In such a mass of detail Mr. Clark might usefully have given plus and minus ranges of possible error at many points, for the various estimates have very wide differences in their probable accuracy, and much harm may be done by too implicit a reliance upon narrow differences by readers in a hurry. While the statistical

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index is useful, I found the absence of an ordinary index rather troublesome. Table 37 contains seven references that require amendment. The chapter on redistribution suffers from some uncertainty about the incidence of certain taxes, which is fairly well established. With so much refinement, something might have been said about the "cost" of earning an earned income, such as travelling to and from places of employment, occupational sickness, tools, special clothing and technical training—expenses which do not raise the standard of economic welfare on the spending side, but are conditions of getting the income. This field is hardly explored.

Mr. Clark was thought by some to be too "venturesome" and he appears less so in this work in the points to which that criticism applied. I should prefer to say that it is bold and imaginative statistically, but not so satisfactory economically, and that he still lacks a natural sense of danger.

J. C. S.

The Expenditure and Revenue of Local Authorities

By Sir GWILYM GIBBON, C.B., C.B.E., D.Sc. Reprinted from the Journal of the Royal Statistical Society, Vol. XCIV, Part III, 1936. 1s. 6d.

FOR anyone who wants to find out about the transformation which has taken place in the scope and method of English local government during the last fifty years, the paper read by Sir Gwilym Gibbon to the Royal Statistical Society, and now mercifully made available to the general public at eighteen pence, is the most valuable document on the market. With the same comprehensive and devastating austerity as that with which Sir Gwilym once anatomiised the growth of local government for the benefit of the Onslow Commission and of all students of the subject since that time, he now uses the official statistics of Whitehall to describe, in less than forty pages, the astonishing changes which have come over English local government in half a century.

The changing value of the pound, the higher assessment of rateable property in recent years, and other factors mentioned by the writer, make comparisons of expenditure in 1884 and 1932 slightly misleading; and the interest of his paper would have been greatly increased if Sir Gwilym had worked out a scientific index, and reduced the figures for different years accordingly, so that they were more strictly comparable; but this unenviable task he deliberately leaves for someone else to attempt.

He brings out clearly the tremendous increase in expenditure on education. In 1884 both poor relief and highways were more expensive services; but by 1904 education had taken the lead and

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has held it ever since. The highway service has outdistanced poor relief and kept its place as second in the order of expensiveness; but by 1932 it accounted for only 14 per cent. of the total of local government expenditure, as against 20 per cent. in 1884. Housing shows the most spectacular increase of all; it cost threepence per head of population in 1884, or less than one per cent. of total expenditure, and nineteen shillings and fivepence per head in 1932, or more than twelve per cent. of the total. Incidentally, it is odd to find that the two decades in which the increase in total expenditure was exceptionally large were 1894-1904 and 1914-1924. In the latter, a large part of the increase was only superficial, and due to a change in money-values, and the same was true to some extent of the former decade; but who would have guessed that between 1894 and 1904 there was an increase of over 60 per cent. in local government expenditure per head of population, and a considerably *smaller* increase in the great period of social legislation, 1904 to 1914?

Remarkable changes in the method, as well as the scope, of local administration are also well illustrated by the figures. County councils had not appeared on the scene fifty years ago, but in 1932 they and the county boroughs were accounting for 61 per cent. of the total revenue expenditure of all local authorities. Local government in 1884 was in the hands of some 28,000 units and though this huge figure had only been reduced to 25,600 by 1913, twenty years later it had shrunk to the rather less indecent one of 11,500. But easily the most striking change in the technique of local government during this period is found in the part played by the central authorities. This development the writer sketches with the sureness of one who has seen the process he describes from the inside, and his detailed study of the grant system as it works out in practice is particularly clear and illuminating.

In these pages, Sir Gwilym seldom expresses an opinion: he sticks with objective heroism to the facts and figures. But this makes his occasional criticisms all the more impressive. "Local taxation," he allows himself to say, at one point, "is not elastic enough for modern needs, nor does it draw from a sufficiently wide field." One hopes that Sir Gwilym will follow this up, on some later occasion, with a constructive examination of improvements in the present rating system and of possible alternatives to it, and that the melancholy, traditional sentence with which he concludes the paragraph will not be his last word on the subject, now that he has left the Ministry of Health: "It is unlikely that these handicaps can ever be overcome."

J. P. R. M.

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Administrative Management in the Government of the United States

Report of the President's Committee. (Government Printing Office, Washington.) 15 cents.

THIS Report, costing 15 cents, will probably be by far the cheapest publication reviewed in the current issue of the journal; but it is certain that nothing of greater importance in the field of public administration will reach the editor for notice in the same issue. As President Roosevelt says in his message commending it to Congress, it is indeed "a great document of permanent importance."

Even limiting consideration to its purely domestic interest, it is highly important; for the Government of the United States is an institution which concerns the well-being of a very large section of the human race, and in this Report we have a far-reaching scheme for amending the ways in which that Government is administered. The recommendations of the Committee have been accepted by the President without a single qualification; and the message in which he commands them to Congress, for consideration of the legislative action necessary to bring them into operation, is so vigorous, so lucid and so convincing that it is incredible that Congress should fail to act upon it. Every friend of the American people will watch the application of the scheme with interest and will wish it success.

Outside the United States, moreover, the Report demands the serious attention of every student of government and social organisation, for the recommendations of the Committee are set in a framework of discussion and exposition which makes it an important contribution to the study of the general principles of public administration, particularly as those principles are affected by the desire to maintain and vindicate the sentiments and traditions of democracy, to cope with changing social conditions, and to construct machinery of government which shall meet all the requirements of modern life with positiveness, and yet adaptability, in its action.

There are close affinities in outlook and treatment between this Report and the Machinery of Government Reports produced in England by the group which, under the inspiration of Lord Haldane, considered the kindred problems as they lay before this country at the end of the Great War. There is, however, the difference that in the United States, as a result of the Great Depression, the problems have assumed a definiteness and urgency which demand a similar definiteness and urgency in the discovery and application of solutions. There has been so much administrative action of an emergency character that it is necessary now to do a general overhauling and regularising, and this necessity presents the nation with

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a great opportunity of reform and advance—an opportunity which with the assistance of this Report may easily be grasped.

There is nothing in the nature of hasty improvisation in the Report of the Committee. It is a solid, well-balanced piece of work. That it should be such is the reward of the years of devotion to the study of the problems of public administration given by the members of the Committee of three responsible for the Report, Louis Brownlow, Charles E. Merriam and Luther Gulick. British members of the Institute of Public Administration will know that, long before the special difficulties of the period of depression arose, these three men had done much research in the field which has been the subject of their recent more intensive exploration and had given much earnest thought to the questions involved. It may have been something of a panic which led to their being consulted in the present circumstances, but their advice is no set of ill-considered nostrums: it is rooted in long study and patient preparation. It was their prescient attention to the problems of public administration emerging in their own country which brought them into touch with our Institute—with much advantage to ourselves and not without benefit, it is to be hoped, to their work in their own sphere.

It is not difficult, indeed, to see many signs of their careful and sympathetic study of the constitution and methods of the British Civil Service; but there is no suggestion in the Report of mere echo and imitation. They have approached the problem as being in some fundamental respects an American one, conditioned by the character of the Constitution of the United States. Such features as the federal system, the unique power and responsibility of the President and the possibility of friction between the President and Congress have no parallels in the British Constitution, and they make a difference.

It is doubtful, none the less, whether the presence of these features justifies the main divergence from British practice recommended in the Report, namely that "it is essential to provide for direction and control of the work of each department by a small number of policy-determining officers at the head. These officers include the secretary of the department, assisted by an under-secretary and two or more assistant secretaries. It is of the essence of democratic government that these officers be selected by the Administration in office." Whether this device is "of the essence of democratic government" depends perhaps on the validity of the contention of the Dictators and their apologists that democratic government reflects mere conflict of warring interests and classes and never succeeds in expressing the real national will. But, whatever the theoretical considerations, British experience suggests that it is not necessary;

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and it will certainly be difficult to combine with it achievement of one of the main objects of the committee's recommendations, namely, to make the key posts throughout the Government service such that they will "attract and hold in a career service men and women of outstanding capacity and character."

These political appointments at the top will, however, be the only survival of the "spoils" system, the abolition otherwise of political patronage in the public service being a cardinal feature of the proposed reforms. The major recommendations of the committee are summarised in a five-point programme, which is as follows:—

1. Expand the White House staff so that the President may have a sufficient group of able assistants in his own office to keep him in closer and easier touch with the widespread affairs of administration, and to make the speedier clearance of the knowledge needed for Executive decision.

2. Strengthen and develop the managerial agencies of the Government, particularly those dealing with the budget and efficiency research, with personnel and with planning, as management-arms of the Chief Executive.

3. Extend the merit system upward, outward, and downward to cover practically all non-policy-determining posts; reorganise the Civil Service system as a part of management under a single, responsible administrator, and create a citizen board to serve as the watch-dog of the merit system; and increase the salaries of key posts throughout the service so that the Government may attract and hold in a career service men and women of ability and character.

4. Overhaul the 100 independent agencies, administrations, authorities, boards, and commissions, and place them by Executive order within one or the other of the following twelve major executive departments: State, Treasury, War, Justice, Post Office, Navy, Conservation, Agriculture, Commerce, Labour, Social Welfare, and Public Works; and place upon the Executive continuing responsibility for the maintenance of effective organisation.

5. Establish accountability of the Executive to the Congress by providing a genuine independent post-audit of all fiscal transactions by an auditor general, and restore to the Executive complete responsibility for accounts and current transactions.

Each of these recommendations is supported by cogent argument and illuminating knowledge of the conditions. No issue is shirked. True, some of the points in the exposition are open to question and challenge, and there are places where it could be wished that the Report had been expanded—as, for instance, where it speaks of the hundred or so authorities to be absorbed into the twelve (only twelve) departments of State as sometimes remaining "semi-

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autonomous "': but it is a strikingly able Report, presenting a scheme comprehensive and integrated, yet flexible and capable of development. The President is indeed fortunate to have had such advisers.

A. J. W.

Moscow in the Making

By Sir E. D. SIMON, Lady SIMON, W. A. ROBSON and J. JEWKES. (Longmans.) 7s. 6d.

As far as I am aware, this is the first study in English of the working of Local Government in the U.S.S.R. The four authors paid a visit of four weeks to Moscow in the summer of 1936, and were given full facilities for interviewing leading administrators of the Moscow Soviet, and of seeing anything they wished to see of the city's enterprises and social conditions. The result of their observations is an exceedingly interesting, although necessarily uneven, book. By far the weakest part of it is the study of industry and finance by Mr. Jewkes, which is curiously brief and uninformative, as well as highly critical. Mr. Jewkes gives the impression of having gone round Moscow with a firm idea in his mind that it ought to be just like Manchester, and not having quite known what to say when he found how difficult it was to apply the Manchester categories to so different a social and economic system. He is especially critical of the forms of capital expenditure which have found favour with the Moscow Soviet and the State Planning Commission, holding, for example, that the building of the Moscow Metro ought to have been postponed until more had been done to deal with housing conditions.

That housing standards in Moscow are appalling according to British ideas is very clearly brought out in Sir Ernest Simon's interesting chapters, which show how enormous a problem a city has to face if it is to build enough dwellings to house its existing population at a standard at all comparable with Western ideas of the necessary minimum for health and decency of living. "The worst overcrowding in Moscow may not be worse than the worst in London and Manchester, but in England this bad overcrowding is confined to one or two per cent. of the population; in Moscow it is nearly universal. . . . It is safe to say that ninety per cent. of the families in Moscow would improve their housing conditions beyond recognition if they could have to themselves one of the houses that are being pulled down in Manchester as unfit for human habitation." These conditions are, of course, largely due to the immensely rapid growth of Moscow's population. This has been checked, if not altogether stopped, in recent years; but at present more than three and a half million persons are crowded into dwellings which are certainly not adequate to house more than half that number. Sir Ernest Simon

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pays tribute to the improvement which has taken place in the quality and amenities of the new dwelling-places which are being erected, but it is plain that up to the present housing needs have had to wait upon the demands of industrial development, which have absorbed most of the available supply of skilled building labour.

This is the most unsatisfactory side of Moscow's recent history. By way of contrast, Sir Ernest Simon stresses the breadth of vision which has been shown in the town-planning of the enlarged Moscow area, which is being laid out for an anticipated population of five million persons under a comprehensive Ten-Year Plan of development. He is particularly struck by the freedom which the absence of obstruction from private vested interests gives in the zoning and planning of the city, and the green belt which is to encircle it. An excellent account is given of this plan, and of what is already being done under it, and the official map showing the lines of reconstruction is reproduced at the end of the volume together with a plan of the existing city.

In general, the most important part of the book is Dr. Robson's account of the system of city government, of which very little has hitherto been known in England. Dr. Robson was obviously impressed by the zeal and efficiency of the municipal administrators, and by the amount of democratic discussion which is continually going on both in sections and departments of the Mossovet, and in the numerous smaller bodies which look after the affairs of lesser units within the city. Clearly the Communists have been applying to city government the same technique of democratic discussion as they endeavour to use in their national affairs. Before a line of policy has been actually settled upon, there takes place in the Soviet Union a far greater amount of open discussion of the merits of rival courses than in any other country. But when a decision has once been reached by the competent authorities, further questioning is taboo; and everyone is expected to devote himself wholeheartedly to making that decision as effective as it can be made. Both Dr. Robson and Sir Ernest Simon lay stress upon the difference between Moscow's government and that of an English city, in that no distinction exists, under Soviet conditions, between the elected representative and the official administrator—between whom, indeed, no clear line can be drawn. They also stress the extent to which the attempt is made to enlist a vast number of citizens in the tasks of administration, and to preserve constant contact between those who are actually in charge of the work of the city, and the mass of the people. It is apparently a cardinal principle of Russian local government that every responsible officer shall always be accessible at a moment's notice to any deputation from any section of the citizens;

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and, in addition to these deputations, we are given a picture of a constant stream of suggestions and criticisms flowing up to the departments of Mossovet from countless factory-meetings, tenants' meetings, professional organisations and the like.

Lady Simon deals in her chapter with Moscow's educational institutions, bringing out very clearly the immense stress which has been laid on the development and planning of the school system, but also on the extreme difficulties involved in the shortage of competent teachers. Apart from the provision of special facilities for teaching in different languages—a part of the Soviet Union policy of encouraging national differences—she points out that the Russian educational system is at present based on a highly rigid uniformity of syllabus. There is, in the schools, no differentiation of curriculum either between boys and girls or between different types of normal children, with the exception of the mentally deficient. In the Soviet Union, she tells us: "Equality in education means identity." While she is somewhat critical of the teaching on this ground, and on account of its strong propagandist bias, she pays high tribute to the care which is taken of the health and physical efficiency of the children, and in the provision of admirable school buildings. She dwells on "the exhilaration of being in a society where children really count" and on the courage and imagination which have been needed to carry out the vast educational campaign which has swept away illiteracy and put the demands of the schools ahead of everything else in the field of social planning. But her liberalism compels her to conclude her survey on a note of doubt. She writes: "It is magnificent—but is it, after all, education?"

It should be added that the book translates a number of useful documents and gives a large number of exceedingly useful figures. It is obviously very difficult to make an account of Moscow's city government fully intelligible without a good deal of reference to the new social system of which it forms a part. From this point of view the work of Sir Ernest Simon and his collaborators is to be regarded as a pendant and supplement to Mr. and Mrs. Webb's *Soviet Communism*, by which it was clearly inspired. G. D. H. C.

Letters and Essays on Current Imperial and International Problems, 1935-6

By ARTHUR BERRIEDALE KEITH. Pp. 233. (Humphrey Milford, Oxford University Press.) 8s. 6d. net.

In this book Professor Keith has collected nearly 100 contributions made by him to various newspapers during a period of eighteen months in 1935 and 1936 on current aspects of inter-Imperial and

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international affairs. As the title indicates, its contents are in part essays, but the great majority fall under the head of letters, usually prompted either by some particular event or by some pronouncement on public affairs, whether Ministerial or that of another correspondent. Their interest therefore is of somewhat different kinds. The essays, which for the most part do not exceed some half a dozen pages, display all Professor Keith's knowledge and erudition, and one cannot but marvel at the ability with which he has compressed into such small space a wealth of information on such important topics, which would well merit a whole volume to themselves, as the development of the idea of Dominion status, the far-reaching constitutional changes during the reign of King George V, or, in the international sphere, the history of the idea of "sanctions" from classical times to the present day.

The letters fall into a different category. As is apt to be the case with "Letters to the Editor," they are frequently of a distinctly controversial and critical character, and Professor Keith is not sparing in his comments on the handling (or, as he would probably prefer to say, mishandling) by United Kingdom Ministers of international and inter-Imperial affairs during the period in question, or on the (in his opinion, wholly erroneous) views expressed by some of his fellow-correspondents. The letters are, however, more than a demonstration how current topics such as the "sanctions" policy of the Government or the unfortunate differences with the Irish Free State present themselves to the mind of a distinguished authority on constitutional law and history, and their interest is not confined to their bearing on the controversies of the day but lies rather in the more general reflections to which a study of them gives rise.

In the first place, the title "Imperial and International Problems" suggests the question how far these two sets of problems can in fact be kept apart. Professor Keith helps to supply the answer by showing, as he frequently does, the impossibility of considering important international problems without taking into full account their bearing on inter-Imperial relations. Thus, the question of the imposition, and later the removal, of sanctions during the Italo-Abyssinian conflict (which forms the subject of a large proportion of the letters on International Relations) was of concern to the Dominions generally as members of the League of Nations, and to the Union of South Africa in particular, owing to reasons of geography. Again, the question of the possible return to Germany of her former Colonies cannot be considered without taking into account the views of those Dominions which hold Mandates themselves. In fact, in one of the letters headed "Dominion control of British foreign policy," Professor Keith seems to suggest that there is a risk that the extent

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to which Dominion views require to be taken into account in framing foreign policy may be exaggerated and that there is sometimes need for the United Kingdom itself to assert its "Dominion status."

Again, apart from the contents of the letters, the nature of their subject matter, especially in the section headed "Imperial Relations," is a reminder of the diversity of the problems which now arise in the conduct of the affairs of that unique experiment in constitutional practice, the British Commonwealth of Nations. While the letters close in September, 1936, and so do not touch upon some developments which must be of special interest in a study of inter-Imperial relations, such as the inter-Imperial aspect of the events of last December or the effects of the Irish Free State constitutional legislation passed at that time, they cover a sufficient variety of topics. These are not only questions which have aroused widespread interest such as relations with the Irish Free State, the Indian constitutional reforms and the situation in Palestine, but also such different matters as the petition of Western Australia to the United Kingdom Parliament for separation from the Commonwealth of Australia (which raised interesting questions as to the competence of the United Kingdom Parliament in relation to a Federal Constitution to which Parliament had given legal effect), the possibility of transfer to the Union of South Africa of the territories in South Africa administered by the United Kingdom Government (where both constitutional and political issues are involved) and—a matter which has aroused little public interest but which, as Professor Keith shows, may have important reactions—the possibility of transformation of British Protectorates into Colonies. It may be observed that there is no mention of one interesting innovation of recent months, namely, the appointment by the King, on the advice of His Majesty's several Governments, of a Coronation Commission representative of all the Governments concerned to consider aspects of the Coronation arrangements of common interest.

Finally, in reading the letters on Imperial Relations, one's mind inevitably goes beyond the particular subject with which Professor Keith is dealing to ask oneself questions touching the fundamental issue, what is the real nature of the British Commonwealth of Nations? Of recent years, public interest in questions of inter-Imperial relations has been apt to be focussed on the more formal aspects of those relations, on such questions as the effects of constitutional legislation such as the Statute of Westminster or the Status Act of the Union of South Africa, the possibility of abolition by a Dominion of appeals to the Judicial Committee of the Privy Council, and the action taken or contemplated by the Irish Free State in relation to the Governor-Generalship. There is some risk, if attention

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is concentrated on these more formal aspects of the relations of the Members of the Commonwealth, that it may be forgotten that this is not the whole story and that, in the words of the famous Report of the Inter-Imperial Relations Committee of the Imperial Conference of 1926, "the British Empire is not founded on negations" and there is a positive side to which the Report referred in the words "Free co-operation is its instrument." There can be little doubt that it is not by concentration on questions of formal and legal relationships that the formidable problems facing the Members of the British Commonwealth can be settled but only by development of this spirit of free co-operation and its application to those problems. This is not the place to discuss how such free co-operation can be secured nor does Professor Keith purport to deal exclusively with this question, but he indicates its importance when in his letters on relations with the Irish Free State he more than once suggests that the present difficulties with the Irish Free State can only be solved by some recasting of the legal relations of the Irish Free State with the British Commonwealth. Professor Keith's book will have proved its value if, apart from any other result, it leads to consideration of these fundamental questions of inter-Imperial relations on the answer to which depends the part which not only the Governments but also the peoples of the British Commonwealth are to play in world affairs.

A. M.

Social Stability and Economic Change

Leadership in a Free Society. By T. N. WHITEHEAD. (Oxford University Press, 1936.) 10s. 6d. net.

FOR some years past those interested in a scientific approach to social problems have been aware that one of the most stimulating and realistic centres of thought in the world is the group of anthropologists, physiologists, psychologists, statisticians and economists working in collaboration at the Harvard Graduate School of Business Administration. This group owes much to the inspiration of Professor Elton Mayo, to whom Professor Whitehead's book is dedicated. Those who have had the good fortune to hear Professor Mayo lecture or to read his *Human Problems of an Industrial Civilisation*, will need no further introduction to another instalment of the same fascinating story.

The aspect of the question with which Professor Whitehead is concerned is the impact on social stability of modern industrial development. As he points out, the present condition of the industrialised nations is one in which "for the first time in history, we find large complex societies dedicated to the creed of continual

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never-ending change, controlled by relatively logical, scientific thinking." This logical thinking does not, however, necessarily make sufficient allowance for "the mutual support of social sentiment and social action, not only at an explicit level, but also in ways far below direct observation" on which the integration of the primary groups lying at the root of all social cohesion depends. Consequently "society itself, that is the more general organisation of large communities, is becoming increasingly brittle, and unable to prevent or cure its own ills by intelligent action."

His approach to this general problem is definitely sociological. "It is the economic motive *within a social setting* that is of importance to human beings, for these two together constitute social living, from which most human satisfactions are ultimately derived." And "it is a measure of the degree in which thinking has been warped by an over-emphasis of economic motives, that it should be necessary to remind ourselves that satisfactory living is social living, and that social activities to be satisfying in the present must have the merit of leading on to an acceptable future."

The experimental material on which his analysis is based are the records of the Relay Test Group and the Bank Wiring Group at the Western Electric Company's works, supported by his own experience as an engineering apprentice in this country.

The Western Electric Company's experiments are rapidly becoming the foundation of a considerable literature. The most interesting points brought out by Professor Whitehead are:—

- (i) The recessions in output in the Relay Test Group which accompanied changes in the arrangement of working places or the introduction of new members into the group, even when such members were personally popular. There was a loss of social integration and output fell accordingly, though the girls were quite unconscious of it.
- (ii) The effect on the group of the economic depression. The output of three girls who were suffering the greatest financial anxieties deteriorated after 1930. In the last few weeks before the experiment was abandoned the output rate fell violently. In each case the logical economic motive would have indicated a rise in output. "Work effectiveness is related to the general outlook of the individual and particularly to that part which can be described as his (or her) social situation. As this total situation deteriorated so did the work effectiveness decline." As one of the operators remarked some months later, "we lost our pride."
- (iii) In the case of the Bank Wiring Group, the "attitude of alarm towards management on the part of employees, far more preva-

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lent than many leaders of industry are prone to imagine." "Management, for no doubt adequate logical reasons, is prone to rearrange the working conditions of its employees with scant regard for the social routines and sentiments it is unwittingly breaking. In consequence, industrial groups develop a series of routines designed to nullify the effects of managerial activity."

A group of skilled mechanics in an engineering concern in this country made every newcomer reface a steel plate with a hammer and chisel. The task was purposeless. "A hammer and chisel to these men was about as useless as a sword to an infantry officer." It was a test of skill, and the highest praise current in the group was to say that "so-and-so knows his hammer and chisel." The man who failed in the test never recovered his status: the man who succeeded was accepted immediately, even where personally unpleasant.

But, "so to know one's hammer and chisel implied years spent in acquiring a particular professional attitude with satisfactions, loyalties and pride developed around the mechanic's way of life." This, "common scheme of life fulfils the function of putting any two members of a society into the relation of habitual association, even though they be utter strangers to one another. The appropriate sentiments and the common understandings are quickly established, and efficient co-operation is possible almost at once."

What may perhaps be described as natural or primitive leadership is a function concerned to "assist the group in maintaining its customs, its purposes and its attitudes undamaged." It is a conservative function. "Perhaps the outstanding characteristic of the mechanic-leader is his intense pride in, and unswerving loyalty to the detailed procedure by which he exercises his skill. Any attempt on the part of his "boss" to modify these by one hair's breadth will evoke the most unmeasured anger."

But mankind has deliberately organised "logical thinking in such a way as to lead to a stream of improvements." Such "mental activities inevitably weaken the force of social sanction." On the other hand "social custom with its accompanying moral and ethical codes performs the function of rendering the activity of human beings at once predictable and fitting to each other." Thus "the industrial organisation is controlled without adequate regard to the social lives of those involved, by a type of man highly skilled in the logical, reflective thinking suitable to the rapid evolution of technology."

The modern "leader" is therefore "no longer quite a member of his group, working by their side and sharing their daily lives." "The social organisation of the group is not oriented primarily towards their executive, but towards some informal leader of their

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own choosing—one of themselves.” The executive “is in danger of directing a formed society from without; a society that will evolve defence mechanisms and sentiments of antagonism, if its social living appears to be in danger of interruption.”

“The next stage in the progress of an industrial society is surely to increase the range of systematic thinking to include not only the technological processes but also the social processes which hold men together, and so enable co-operative enterprises to endure and to be successful.” The function of the administrator is “systematically to consider the social structure of his group and guide his technological progression in such a manner as to be acceptable to that structure.” The social sentiments and activities of groups should be regarded “not as hurdles to be surmounted, but as an integral part of the objective for which the organiser is working.” . . . “A human society will only be healthy in so far as the human contacts are adequate in the present, and in so far as these contacts are efficiently organised for their purpose. It is this double objective which the administrator should aim at, not the economic purpose only.” “His route to socially wise action must be via logical reflective thinking in which the non-logical acts of his society take their place amongst the observed facts about which he reflects.”

Against this general background Professor Whitehead discusses a number of aspects of our present industrial organisation, and about each he has something significant to say. The problem of the small industrial group turns on the junior supervisor, whose “position is too often one of divided loyalty, to the policy of his seniors on the one side, and to the sentiments of his group on the other.” “There can be no question of maintaining an employee force as isolated individuals; the whole idea is antagonistic to human custom and behaviour, and in consequence it is as groups that management must guide the activities of its force.” “What is feared of senior management is not its lack of good intentions, but its *distance*.” . . . “Employees are only too anxious that their executives should understand the sentiments and loyalties of working groups, provided those executives make it clear beyond a doubt that their motives are not disciplinary, but spring from a real desire to understand and meet the needs of the groups, for their mutual economic benefit.”

Further chapters deal with—

- (i) Progressive Management—“no society or organisation is averse to change provided the initiative for that change takes place at the relevant level—at that level where the daily activities have shown the need. Under those conditions, change will present itself not as an interruption, but as the natural flow of social living.”

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- (ii) The Financial Reward—"sentiments with regard to the system of wages themselves conform to the general social sentiments of the group. In other words, a wage system designed to evoke high motivation is apt to increase the force of the motives already in being. If these are favourable to the policies of management, well and good; but if the case be otherwise, the more the employees are motivated the more they will resist their nominal leaders."
- (iii) The Care of Personnel—"the most urgent need is not to arrange the individual's circumstances for his own economic or physical good; but to let him exercise his personal initiative in conjunction with others; and so, within reasonable limits to place the individual in a position of immediate control over his own circumstances. He will do it much better than anyone else and will develop a really effective loyalty to the purposes of his group's activity."
- (iv) The Function of Trade Unions—"whatever may be the economic success of trade unions, they do undoubtedly achieve one function of successful institutions. They provide their members with a social structure and enhance their opportunities for effective participation in the life of the community as a whole."
- (v) The Organisation of a Community—"every advance of industry has so far been accompanied by a corresponding impoverishment in social living. The rise of organised industry has reduced the importance of other institutions as integrators of society, without shouldering those functions itself." But "an industrial organisation can be no more stable than the society of which it is a part, and the only way to stabilise a society is to organise it and to lead it."
- (vi) The Rise of Fashion and the Control of Consumer Demand—"the sign of an organised society is a stability of the mode, coupled with high individual variation in matters not involving public sentiments of right and wrong, or of fitness and unfitness" and "Modern Advertising is an alternative to the organisation of sentiment by society."
- (vii) The Planning of Engineering Design to secure a Variety of Products—the type of component design "which standardises each level of components and gives any one component its greatest possible range of applications is the method which results in the most varied range of end products, or consumer's commodities."
- (viii) Industry and Government—"management as a class is probably correct in supposing that industry cannot be organised

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except in ways which seem feasible to themselves. But the public at large is equally correct in declining to be controlled by men who are not its social leaders, and so act without a due concern for the welfare of society."

(ix) Socialism and Other Social Systems—"the manner in which an organisation is worked, the consideration and interests by which it is guided, are of more importance to all concerned than the precise logic behind the system." Thus "it is immaterial whether a hundred years hence industrial societies shall have become broadly socialistic or even more capitalistic than at present, provided that each step be taken on its merits, and not as a means of achieving some hypothetical Promised Land."

The final section of the book (34 pages) is devoted to a summary of the argument, which is not the least valuable part of an original and stimulating piece of work. To add one more quotation, "in no industrial society do large masses of people believe themselves to be so led as to achieve a sufficient spread of social initiative and responsibility. People do not find that they experience adequate social activities. . . . The cause of this poverty in social living has not been found in a dearth of suitable material for leadership, but in an unduly narrow conception of their responsibilities and interests on the part of the leaders themselves. . . . No formal devices for government can in themselves provide a people with a democratic way of life, for the essence of such a life is the exercise of instructed and effective social concern."

Two possible criticisms remain for consideration.

In the first place it may be urged that the author has constructed too skyscraping an edifice of thought on the restricted base of the Western Electric experiments. This, he would probably admit himself. But, in the absence of governments and industrial leaders competent to appreciate the immense importance of exact and controlled experimental work in human relations, the social philosopher must make use of what small volume of factual material is available. The large literature which has grown up round the Western Electric experiments is evidence of the need for a wide and rapid extension of this kind of research by groups of scientific specialists working in collaboration.

In this country, as in the United States, we are spending millions annually on technological research and on the technical education of the entrant to industry. We are spending little or nothing on sociological research and the higher education of those who will administer the technical grades. Yet, in the absence of this latter expenditure a large proportion of the former must necessarily be wasted. Our

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ideas on the subject are badly out of balance, and our practice still more so. This distortion Professor Whitehead's book may do something to correct.

In the second place it may be urged that, owing perhaps to his American experience, he attaches too much importance to the leadership of the industrial executive. In Great Britain there are other groups who, both traditionally and in practice, take a larger share of the task of social direction. To say this is, however, only to emphasize the need that members of these groups also should study the sociological approach to the problem.

It is not only among mechanics that to "know one's hammer and chisel" implies "years spent in acquiring a particular professional attitude with satisfactions, loyalties and pride developed around" that particular way of life. It is the strength, and also the weakness, of the British Civil Service that it possesses to an exceptional degree this kind of professional orientation. The public administrator is much more remote from the impact of technological change than the industrial executive. And he tends to belong to a social group quite as aloof and distant from the workers in sympathy and sentiment. He is usually a man of substantial intellectual training. He is free from the economic preoccupation, but he is even more prone to what Professor Whitehead manifestly considers an even greater danger.

"People with an intellectual training are apt to express themselves in abstract terms and this habit can easily become a vice, for it serves to hide the fact that sentiments and understandings are all ultimately based on concrete experience in some manner or other. . . . It is easy enough to express a generalisation to fit any set of situations; the difficulty is to clothe it with appropriate sentiment and personal loyalty, and to possess the wisdom in action which comes with habitual experience. . . . The problem for the administrator or statesman with his grasp of logical disciplines, is so to lead his fellow men that the immediate demands upon their activities can be met in terms of their more restricted wisdoms. The moment these limits are passed, the followers lose their sense of direction; the situation looks to them like chaos and they will in some manner repudiate their leaders."

L. U.

The British Civil Servant

Ed. WILLIAM A. ROBSON. Pp. 254. (Allen & Unwin, 1937.) 7s. 6d.
THE issue of the *Political Quarterly* of April-June, 1936, devoted to
the Civil Service and the critical notice of it by Mr. Waldegrave in
PUBLIC ADMINISTRATION, are matters of recent memory.

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The dearth of independent material on the personal side of administrative work alone justifies the re-issue of the articles (on the Public Service, by Dr. Robson; the Home Civil Service, by Professor Ernest Barker; the Foreign Service, by Mr. Harold Nicolson, M.P.; the Local Government Service, by Sir Ernest Simon; and the Semi-Public Services, by Dr. Finer). But they now appear enriched with the addition of six other essays.

Particularly welcome is the eminently sane and judicious paper by the Hon. Secretary of the Institute on "The Middle and Lower Grades of the Service." It is a valuable addition. Not only does it give a proper balance to the work (Professor Barker confining his remarks to the administrative class) but it deals ably with a difficult problem. While it reflects faithfully much of the frustration and disappointment felt by the middle and lower grades of the service, no facile solutions are propounded and the whole question is made to stand out, as it should, as one of the major problems confronting public administration on its internal side.

Three of the other five papers have a more controversial tone which indeed is justified by their subject matter and to be expected from their authors. (Mr. L. Hill on "The Middle and Lower Grades of the Local Government Service," Mr. F. A. A. Menzler on "The Expert in the Civil Service" and Mrs. Strachey on "Women in the Civil Service.")

Finally, there are useful papers on the Indian Civil Service by Mr. J. Coatman and the Colonial Service by Mr. L. Barnes.

F. R. C.

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THE DEVELOPMENT OF LOCAL GOVERNMENT ADMINISTRATION SINCE THE EIGHTEENTH CENTURY, SHOWING THE TRANSFER OF FUNCTIONS FROM THE JUSTICES OF THE PEACE TO LOCAL AUTHORITIES.*

By DOUGLAS ELLIS.

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INTRODUCTION

THE institution known as the Commission of the Peace, of which each individual justice of the peace is a member, is of considerably antiquity. By the eighteenth century it was composed of the principal landowners of England and Wales together with a sprinkling of the professional classes, especially clergymen of the Established Church. Besides acting as a court of justice, the Commission carried out important administrative duties in connection with poor law, highways, licensing of ale-houses, prison and police. All these social duties were regarded by the eighteenth-century justice of the peace as part and parcel of his normal judicial functions.

It was not until the advent of the Industrial Revolution that the administration that was then in operation broke down. Early in the nineteenth century severe strictures were made upon the justices' administration, particularly with regard to the licensing of ale-houses and poor law. The partial withdrawal of the former duty was the first loss of power which the justices suffered. Then, in 1834, they lost their power of directing poor law policy, a power which they had enjoyed since the late sixteenth century. A year later prison administration was put under the direct control of the Home Secretary.

* An essay submitted to the University of London Extension Committee, after a course of lectures on Public Administration by Dr. Herman Finer at the London County Hall, University Extension Centre.—EDITOR.

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In spite of the administrative losses experienced, the justices also gained certain powers during this same period, particularly in regard to lunacy (1808) and police (1839).

From this period, however, a wider view was taken of the local government needs of the country and from 1834 to 1872 there were set up various *ad hoc* local authorities, that is, bodies formed to administer a particular service. Examples of these are Boards of Guardians (1834), Local Boards of Health (1848), Highway Boards (1862), School Boards (1870) and, finally, Urban and Rural Sanitary District Councils (1872).

The history of local government then enters a new epoch, the fruit of the Benthamite ideas of elected local bodies having general control over the local government services and ousting both the politically appointed justice of the peace and the *ad hoc* authority that was elected but of which the franchise was usually restricted. In 1888 county councils were set up and the justices of the peace in Quarter Sessions assembled lost practically all of their local government powers.

By 1888 the principle had been settled. Developments from that date have been more in the nature of a tidying-up process. In 1894 the minor local authorities—parish meetings and councils and urban and rural district councils—were reorganised. Eight years later the school boards were abolished and their powers vested in the compendious local authorities. Finally, in 1930, the Boards of Guardians ceased to exist and their functions were transferred to the councils of counties and county boroughs.

The story will be developed in more detail later and more emphasis will there be laid upon the local government administration by the Commission of the Peace.

I.—The local government functions of the justices of the peace in the mid-eighteenth century.

The powers of the justices of the peace arose, in the first instance, out of the Commission issued to each magistrate upon his appointment charging him "to keep and to cause to be kept all ordinances and statutes for the good of the peace, and for the preservation of the same and for the quiet rule and government of our people made."¹ These clauses are the keynote of the justices' powers, which were primarily judicial. The essence of the office was the keeping of the King's Peace, but a very wide view was taken of the duties involved and it was assumed, for instance, that the presence of starving poor or foundering roads would jeopardise the safety of the King's subjects, thereby causing a breach of the peace. Thus the justices had become, by the middle of the eighteenth century, the major local government body of the country.

The unit as regards local areas of the eighteenth century was the parish, with obligations primarily (in Saxon times) ecclesiastical and subsequently (after the dissolution of the monasteries) civil. Although there had been, by 1750, no statute creating a network of parishes throughout England and Wales, they were, nevertheless, universal, and Tudor and Stuart legislation had cast upon them various local government duties particularly in connection with poor law and highway administration. In the case of poor law, the duty of relieving the poor and all matters incidental thereto were performed by unpaid, annually elected overseers of the poor,² while a similar arrangement obtained in connection with highway administration, which was supervised by amateur surveyors of highways² who served for annual periods. These two types of officers came constantly under the supervision of the individual justice (their appointment by the "double justice" will be discussed later). As regards overseers, any justice could order an overseer of the poor to relieve a destitute person, although, under the Workhouse Test Act of 1722,⁴ a justice of the peace could not order relief to a person who

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had refused the offer of institutional relief. This latter provision was, however, repealed by Acts of 1782⁵ and 1795⁶-1796.⁷

As regards surveyors of highways, the surveyor had to submit each year, at the end of his term of office, accounts for allowance and, based upon the accounts, the proposed highway rate for signature. In addition to his duties as regards finance the surveyor of highways had to report at regular intervals upon the state of the roads in his parish and he received from a justice directions as to what roads were to be repaired and in what order the work was to be done.

There was a third officer in connection with the parish whose duties brought him into close relationship with the parishioners although they had no choice whatever in his appointment or control. This was the petty constable who, after the decline of the Court Leet, was exclusively the "justices' man."⁸ This servant, over whom the justices had exclusive control, could be indicted if he refused to obey a justice's warrant.

Beyond these powers of controlling the officers of the parish, the individual justice of the peace exercised considerable influence in parochial local government. He was often the principal landowner of the parish and was invariably of considerably higher social status than the majority of his neighbours. It has been aptly said that "Justices of the Peace are emphatically, or more eminently, the Overseers of the Poor of the county (all others being their substitutes and acting by their orders),"⁹ and this dictum may also be enlarged to include "Surveyors of Highways" or "Petty Constables" as well as "Overseers of the Poor." There will be much to relate in the following section (II) about the aspects of the work of the "single justice" in Quarter Sessions, but so far as it is possible to appreciate the appropriateness of John Scott's observation in comparing the parish to a kingdom and the local magistrate to the monarch: "Happy is the parish that has a good King!"¹⁰

The Commission issued to each individual justice of the peace besides requiring each magistrate to "keep or cause to be kept" the King's Peace also charged him or any two or more justices to meet "at certain days and places" for the furtherance of their duties. Successive statutes, some of which are shortly referred to below, enjoined the presence of more than one justice to give validity to the Court's actions. Although each justice had considerable control over the parish officers, it was necessary for at least two justices to agree to the appointment of the overseer of the poor and the surveyor of highways. In the latter case the parish had the right to submit a list of candidates whilst, in the case of the appointment of the former officer, the parish had no such right. It was to the "double justice" out of sessions that the overseers of the poor had to submit their accounts and proposals for the poor rate for signature.

At the beginning of the eighteenth century the meetings of the "double justice" were spasmodic and informal, but gradually Parliament intervened to insist on more regularity by the establishment of special sessions. After 1729, the work of licensing ale-houses was taken from the impromptu meetings of the "double justice" and given to special Brewster Sessions, although at these sessions the certificate of two justices of the peace was sufficient for the licensing of an ale-house. Even earlier than this, under an Act of 1691,¹¹ the justices of each division of the county held what came to be known as "Highway Sessions" at which the parochial highway administration was more effectively supervised.

The informal meetings of the "double justice" were also superseded by the holding of "Petty Sessions." As the eighteenth century progressed, the petty sessional courts became more regular and Royal Proclamations occasionally drew attention to the evils of justices acting together unless it was in these regular sessions to which certain justices would be apportioned. Their chief duties, other

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than criminal jurisdiction, were concerned with the suppression of nuisances and other general business.

The supreme county authority was the Court of Quarter Sessions which had jurisdiction over an administrative area which, in the majority of cases roughly coincided with the areas of the modern county under the jurisdiction of the county council.

The Court of Quarter Sessions, which was held four times a year, consisted of all the justices of the peace for the county, riding or liberty, and had important criminal and civil jurisdiction. Among the more important of its local government functions in the eighteenth century were the supervision of county buildings, gaols, roads and bridges, the administration of the laws relating to weights and measures, licensing ale-houses, making the county rate, deciding rating appeals and appointing various officers. The Court also made regulations to prevent plagues. The Court exercised an important general political and administrative control over the whole of its area, one wide enough to have enabled the Webbs to have termed it "An inchoate provincial legislature." A famous example of this exercise of its powers is the decision of the Berkshire Justices meeting at Speenhamland in 1795 when it was agreed to supplement the wages of labourers up to a certain minimum, according to the size of their families. This decision was almost universally copied by other Courts of Quarter Sessions and gradually assumed, to the provincial mind, statutory weight.¹¹ The Court was more than a bye-law making authority. Its decisions were not subject to the approval of a central authority and were rarely challenged in the High Court of Justice.

II.—Development of "judicial administration" till 1800. The convenient device of presentment. The use of the Grand Jury as a major local government committee. Growth of a county executive.

Since the justices of the peace have always been primarily judicial officers, their work has naturally been more closely connected with judicature than with administration. Their local government functions were the result of accident rather than design. Certain local work gradually became necessary and the gentlemen composing the Commission of the Peace were the only people competent to do it. If the central authority had set about to establish special local authorities to do the work, those authorities would undoubtedly have been recruited in the first place from the landed gentry, but, as the landed gentry were already the local magistrates, they undertook the necessary administrative work and used the same machinery as they used for their judicial process. At the beginning of the eighteenth century, in practically all parts of England and Wales, the Courts of Quarter Sessions made no distinction whatever in their two definite types of duties, but, in the course of the century, as local government problems became more acute and onerous, a peculiar type of administration was developed by which a recognised court of law decided whether a particular parish or person was performing its statutory or common law duties efficiently or whether a particular building or highway was in need of repair. Most of these decisions would to-day be regarded as relating to purely administrative matters, but they were dealt with by Quarter Sessions by means of the very widely utilised device of presentment, a device described by the Webbs¹² as "an interesting transition from judicial to executive action." Presentment could be made to Quarter Sessions by the Grand Jury or, in certain cases such as in regard to bridges and highways, by an individual justice "upon his own view." During the eighteenth century the use of this device of presentment by the individual justice as a means of improving roads and bridges steadily increased.

The minutes of the various Courts of Quarter Sessions of the eighteenth century record, too, presentments being made by the more conscientious justices of the

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peace of maladministration of local workhouses. Presentment was never but a mere pious gesture on the part of the presenter; it was invariably followed up, if the facts warranted such action, by a substantial fine, which was levied by way of an additional rate on all occupiers of the district concerned. The proceeds of the fine were used for the removal of the nuisance originally complained of.

Presentments were also made by the "Grand Jury," a body consisting of seventeen to twenty-one of the more "substantial" inhabitants of the county, whose social position was not very much inferior to that of the justices themselves. Besides presenting parishes or persons for failure to maintain highways, bridges (22 Henry VIII, c. 5, recognised the Grand Jury for this purpose), or county gaols and buildings, Parliament gave to the Grand Jury important powers over the finances of the county. Under an Act of 1739,¹³ no money could be spent from county funds on bridges, gaols or houses of correction except after presentments to that effect had been made by the Grand Jury and an Act of 1768¹⁴ added shire halls to the list, although the latter Act, together with an Act of 1812,¹⁵ allowed minor repairs to be made without such presentment. Generally, the Grand Jury was an organ of importance and many recorded examples indicate the exceedingly wide powers that this institution assumed in order to give publicity to and, if possible, find a remedy for, various social and administrative abuses which were brought to its notice.¹⁶

In examining the growth of the county executive, regard should be paid not so much to those historical officers of the county such as the Lord Lieutenant and the Sheriff whose duties were, by the mid-eighteenth century, almost entirely ceremonial, but to the paid, and often unrecognised and extra-legal, officials who may be regarded as the germ of the modern local civil service. Some historical officers, such as the high constable, may be included in this latter class. This officer became, in the progress of the century, exclusively the justices' man for the hundred just as the petty constable was for the parish. His more important local government duties were in connection with vagrancy, presenting highways and bridges in need of repair and, after the passing of the Act of 1795, many Quarter Sessions appointed the high constable as *ex-officio* inspector of weights and measures. Perhaps the most onerous of all his duties was the apportionment and collection of the county rate, which towards the end of the century amounted, in the more populous counties, to several thousands of pounds. The county rate was usually paid over by the high constable to the county treasurer, an officer whom the Quarter Sessions gradually came to appoint and reward with a small remuneration. Another officer who, by 1800, was almost universally appointed, was the county surveyor. He was often the local carpenter or mason and was paid a small, but regular, stipend. There was also appointed a small number of clerks and other necessary servants.

III.—The reaction against the justices after 1800. The cause thereof. The attitude of Parliament from 1800-1835, e.g., as regards licensing, poor law, highway and prison administration. The growth of the idea that local government was more than a presentment of nuisances before amateur lawyers.

At the beginning of the nineteenth century the county justices were firmly established as the major local government authority and, with certain exceptions, they performed their duties conscientiously. The system, especially suitable in rural areas, worked. There was, however, a serious shortage of magistrates in the rapidly growing towns of the industrial north, which were experiencing a period of social and political anarchy. There was, too, a growth of radical thought, fostered, no doubt, partly by the French Revolution and partly by the herding together of large numbers of men and women in big, ill-equipped centres of population. To the intellectual radical—apart from the malcontented revolu-

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tionary—the idea of a politically appointed and entirely non-elected omnipotent magistracy was repellent: it was the antithesis of the new political doctrines that were then sweeping through Europe. The justices were fiercely hated by the poorer classes owing to their harsh administration of the game laws. On the other hand the justices of the peace were remarkably solicitous about the welfare of the peasantry in that they agreed to supplement out of the poor rate their inadequate wages, although they would imprison a peasant for seven years for poaching. The justices were also criticised both by poor and rich for their licensing policy—a policy which in many respects was generally beneficial. By 1800 Brewster Sessions were ruthlessly suppressing all unnecessary public-houses. The Whigs and Philosophic Radicals fulminated against this so-called interference with private rights and, under the Licensing Act of 1828,¹⁷ Brewster Sessions lost the power of requiring the applicant to produce a certificate of good character and had to justify in Quarter Sessions any refusal to renew a licence. The power of summarily suppressing an ale-house was also taken away and "off-licences" were allowed to open without a justices' permit. Under an Act of 1830¹⁸ any ratepayer could open his house as a beer-shop on payment of two guineas to the Customs and Excise officer.

There were, too, further criticisms of the justices' administration. The Royal Commissioners' Report on the Poor Law in 1834 contains many complaints of the conduct of the magistrates. The Commissioners acknowledge "that in so large a body as the magistracy of England and Wales . . . cases of misconduct must from time to time arise." The report discloses that in poor law matters the justices of the peace were influenced too much by "misdirected benevolence, or desire of popularity, or timidity." The section of the report concerned with magistrates ends by saying, "A more dangerous instrument cannot be conceived than a public officer, supported and impelled by benevolent sympathies, armed with power from which there is no appeal, and misapprehending the consequence of its exercise."

In view of this striking indictment of the system which had been in operation for over two hundred years it is not surprising that the Poor Law Amendment Act of 1834 (4 and 5 William IV, c. 76) deprived the justices of the peace of the power of general supervision over poor law administration which they had previously possessed. They were, however, *ex-officio* members of the newly created boards of guardians.

Under Hobhouse's Act of 1831,¹⁹ which reorganised urban parish government, and the Lighting and Watching Act of 1833,²⁰ the justices were practically ignored; the Factory Act of 1833²¹ withdrew from them the power of inspecting factories which they had possessed under the Factory Act of 1802.²²

The General Highways Act of 1835²³ lessened the control of the justices over highway administration although, as will be pointed out below, the Court of Quarter Sessions retained considerable powers over this service until 1888 owing to the reluctance of the Whig Parliament of 1835 to set up a new local authority for highway administration. Prior to 1835, however, "all the indirect evidence indicates that . . . the vast majority of the eighteenth-century justices never realised that they had any administrative responsibility at all for the management of the roads. They persisted in regarding themselves as a judicial tribunal only."²⁴ Their methods were strictly curative, not preventative.

The justices' administration of police and prisons did not escape severe and authoritative criticism. The primitive police organisation had remained unchanged for centuries and Parliamentary Committees of 1812, 1818, 1822, 1826 and 1828 collected a mass of evidence which conclusively proved that the widespread

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prevalence of crime was due to the complete lack of an efficient police force. Finally, under the Prisons Act of 1835²⁵ gaol administration by Quarter Sessions was subjected to the supervision of the Home Secretary and his paid inspectors.

This list of losses of power, extracted mainly from the second volume of the Webbs' "English Local Government," is a formidable one, yet it still left the unpaid, non-elected magistracy with considerable powers. There were few local authorities set up to supersede them and only a few of their duties were taken over by a central department. The justices, however, still carried out important criminal duties and, in the absence of any scientific local government code, they remained, in many respects, the most influential of all local authorities.

The idea that local government was more than a presentment of nuisances before a group of amateur lawyers was gradually growing: the repeal by the General Highways Act of 1835 of the individual justice's power to "present" highways is an example, but to our ancestors—even the Whigs—of one hundred years ago there was no known substitute for the unpaid magistracy and the Benthamite theories of local elected legislatures and of efficient administrative control in the political field had not been in formation long enough to have gained sufficient credence to stimulate reform in this direction.

IV.—1835-1872. Creation of ad hoc bodies—Boards of Guardians, Local Boards of Health, Highway Boards and School Boards—during this period. The part of the justices of the peace in relation to these new boards.

The thirty-eight years covered by this section formed a period during which the real problem of local government, viz., that of creating a territorial, compendious local authority, was avoided by creating *ad hoc* authorities. During this period the local government powers of the justices were augmented in spite of the loss of powers outlined in the previous section. A perusal of the six volumes of the 1844 edition of Burn's "Justices' Manual" reveals an amazing range of matters coming within the jurisdiction exercised under the authority of the Commission of the Peace. The following paragraphs attempt to summarise the more important local government functions mentioned in Burn and also to trace their development from 1844 to 1872.

In regard to poor law, justices still appointed the overseers of the poor although their general power of superintendence had been lost under 4 and 5 William IV, c. 76, and vested in the Poor Law Commission. However, the justices still had the right to order relief, medical or otherwise, in cases of sudden or dangerous illness or sudden or urgent necessity. As the "Justices' Manual" insisted, it was still one of the most important of the justices' duties to visit and examine the workhouse and see that the rules made by the Poor Law Commission were being carried out. Each individual justice of the peace was *ex-officio* a guardian of the poor. Two justices made the necessary order to remove a person chargeable to his place of legal settlement and their consent was also necessary to the allowance of the poor rate. This last function, states Burn, was "magisterial" only—they could not refuse to allow. In addition, any two justices could order relief to the old and infirm wholly unable to work to be of a domiciliary nature and not institutional, or the justices in petty sessions could order legally liable relatives to maintain persons in receipt of poor relief; and parish apprentices were bound over under the order and direction of the Court.

In the administration of the lunacy laws, the justices in Quarter Sessions were the supreme county authority. A consolidating Act of 1828²⁶ prescribed in great detail the procedure to be adopted whereby Quarter Sessions could erect and manage a public lunatic asylum, borrowing on mortgage of rates for the initial cost of erection. Quarter Sessions could also appoint visiting justices to each county asylum. These visitors would be responsible for the day-to-day adminis-

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tration of their particular asylum and appoint the clerk and other officers necessary for its maintenance. Two justices could certify a person to be of unsound mind and Petty Sessions were bound to require from the overseers of the poor an annual return of the number of persons of unsound mind in its area.

In the administration of prisons by Quarter Sessions a new system was brought into operation under Acts of 1823²⁷ and 1835.²⁸ Quarter Sessions still remained the county authority for the majority of gaols, and they could erect, maintain and regulate prisons.

Administration was, however, subject to the control of the Home Secretary, by whom all regulations made by Quarter Sessions had to be approved and who appointed inspectors to strengthen the central administration.

The two other chief local government functions listed by Burn were the control of highways and bridges. Under the Act of 1835²⁹ Special Sessions were to be continued and supervise the parochial administration which was under the control of a paid surveyor of highways. Application could be made to Special Sessions by two or more parishes to be amalgamated so as to appoint a district surveyor. All surveyors had to make an annual report to Highway Sessions. Bridges were more exclusively a county matter. "The inhabitants of a county are *prima facie* bound by common law to repair all public bridges in the county."³⁰ Quarter Sessions could alter, widen or rebuild a bridge and appoint surveyors who were, in practice, the high constable, who received a special allowance therefor. Quarter Sessions could, too, appoint annually two justices to superintend the administration of roads and bridges.

The first important amendment to these powers was effected by the Highway Act of 1862,³¹ which enabled Quarter Sessions compulsorily to combine parishes into highway districts under Highway Boards made up of waywardens elected by the constituent parishes and justices of the peace *ex officio*, but no place which had adopted the Local Government Act of 1858³² and had thereby become an urban sanitary authority could be included under the jurisdiction of a Highway Board against its will.

An interesting experiment was conducted in South Wales under an Act of 1844.³³ Following the report of a Royal Commission, all the highways of South Wales, including those formerly operated by the Turnpike Trusts, were put under the control of County Roads Boards appointed by Quarter Sessions and consisting of six to twelve justices and certain other members *ex officio*. The boards were assisted by engineers appointed by the Home Secretary, and were successful in reducing tolls and the number of toll-gates and cleared off, within thirty years, the debts left by the Turnpike Trusts.³⁴

Under the Act of 1839,³⁵ Quarter Sessions were empowered to raise and equip a paid police force and levy a county rate therefor on the lines of the police system set up in London under the Metropolitan Police Act of 1829³⁶ and in the provincial boroughs under the Municipal Corporations Act of 1835.³⁷ Although the Act was permissive only, by 1853 twenty-two counties and parts of seven others had adopted it. The County and Borough Police Forces Act of 1856³⁸ compelled all counties to provide a paid police force, amalgamated those existing in boroughs with a population under five thousand with the county force and instituted a system of grants-in-aid coupled with inspection by inspectors appointed by the Home Secretary.³⁹

Other powers that the county authority acting through its Quarter Sessions possessed were, chiefly, in relation to shire halls, weights and measures and the general suppression of nuisances. For all these purposes the Court could levy a county rate and borrow money for buildings on the security of the rates. The high constables collected the moneys and paid them over to a treasurer, appointed by Quarter Sessions, who had to keep the necessary books and accounts. Churchwardens and overseers had to make to Quarter Sessions an annual return of the value of rateable property in the parish.

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During this period Parliament created a variety of *ad hoc* authorities. Mention has been made of the creation in 1834 of Boards of Guardians of whom each justice of the peace was *ex officio* a member. A year later, under the Municipal Corporations Act of 1835,⁴⁰ one hundred and eighty-three towns were given a uniform system of government and the Commission of the Peace for those towns that had a separate one was brought into a definite and intimate relationship with the new town council. Under the Public Health Act of 1848⁴¹ was established machinery for the setting up of local boards of health and for the first time in English history a central health authority was set up.⁴² The Local Government Act of 1858⁴³ led to a renewed growth of these local board under the title of urban sanitary districts while the Local Government Act of 1863⁴⁴ imposed for the future a minimum population of three thousand for an urban sanitary district. The Education Act of 1870⁴⁵ set up one more type of local authority created for a special purpose—the School Boards which were created in those areas that had not a sufficiency of voluntary schools. Of all these authorities only the Town Councils—which alone were not *ad hoc* authorities—have been able to adapt themselves to the changes of a century of unremitting progress and have remained as a local government authority.

In setting up these new authorities, Parliament did not resort to the services of the justices of the peace. Parliament was gradually building up a system of administrative local government. There was, as yet, almost no attempt to form the modern compendious territorial local authority but as new services were being introduced, new authorities were being created to deal with them.

V.—1872-1888. *The reorganisation of local government. Urban and rural sanitary authorities. The Local Government Act of 1888.*

The period 1872-1888 witnessed the complete reorganisation of local government public health authorities. The Local Government Board, which was established under an Act of 1871,⁴⁶ gave to local government a much-needed directing force and made a more scientific distribution of administrative powers inevitable. The first step came in 1872 when, under the Public Health Act⁴⁷ of that year, the whole of England and Wales was divided into urban and rural sanitary authorities. Three years later, the Public Health Act of 1875⁴⁸ codified a voluminous sanitary code and gave additional substance to the newly created central and local sanitary authorities. None of these Acts gave much heed to the justices of the peace, although, under 38 and 39 Victoria, c. 55 (section 105), an individual justice could at the instance of a person aggrieved complain as to the existence of nuisances, while section 96 of the same Act gave to each justice power to issue a summons, answerable to a court of summary jurisdiction, who had power to take steps to suppress any actual nuisance. But it is apparent that justices are being limited to functions regarded as judicial.

There were three other Acts passed in 1875 giving powers to the justices. Under the Artizans' and Labourers' Dwellings Improvement Act,⁴⁹ two justices could make an "official representation" to the medical officer of health of the relevant local sanitary authority that a certain dwelling was "unhealthy." Under the Sale of Food and Drugs Act,⁵⁰ Quarter Sessions were to appoint public analysts and any justice could order the analysis of food suspected to be unsound. Lastly, under the Public Works Loans Act,⁵¹ Quarter Sessions were permitted to borrow from the newly established Public Works Loan Commissioners moneys required for the erection of buildings, police stations and offices.

Two other changes took place prior to 1888. The Prisons Act of 1877⁵² transferred gaol administration from Quarter Sessions to the Home Secretary acting through Commissioners appointed by him. Under the Highways and Locomotives Act of 1878,⁵³ Quarter Sessions were given additional highway powers. They could,

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in altering a highway district, or creating a new one, make its boundaries coincident with that of the rural sanitary district and if they did so could dissolve the highway board and vest its powers in the council of the rural sanitary district. Quarter Sessions could also order a defaulting highway authority to perform its statutory duties, could declare certain roads to be main roads, could make bye-laws regulating traffic on the highways and had to contribute one-half of the cost of maintaining main roads.

It was in 1888 that the break finally came and the justices of the peace, individually and collectively, were almost entirely divorced from local government administration. Under the Local Government Act⁵⁴ of that year, directly elected county councils were set up to be the major local authority over the areas formerly administered by the Courts of Quarter Sessions.

The following powers were transferred from "the justices of the county in Quarter Sessions assembled."⁵⁵ to the council of each administrative county, viz.:—

- (a) making, assessing and levying of all rates and the administration thereof;
- (b) the borrowing of money;
- (c) the passing of accounts;
- (d) shire halls, county halls, court-houses and other buildings used for judicial purposes, county buildings, works and property, subject to use by Quarter Sessions and justices;
- (e) licensing of racecourses, halls for music and dancing, places for performing stage plays;
- (f) asylums for pauper lunatics;
- (g) reformatory and industrial schools;
- (h) bridges and roads repairable with bridges;
- (i) appointment, removal and payment of various officers, including the treasurer and the surveyor but excluding the clerk of the peace;
- (j) payment of coroners, division of county into coroners' districts;
- (k) execution of Acts relating to contagious diseases of animals, destructive pests, fish conservancy, wild birds, weights and measures, and gas meters; and
- (l) registration of electors, including Parliamentary electors.

In addition an organisation was set up known as the Standing Joint Committee which consisted of justices of the peace appointed by Quarter Sessions and members of the county council appointed by the county council in equal numbers. This Committee was to be and still is the police authority for the county, county borough or borough which has its own police force.

VI.—1888-1936. Abolition of justices of the peace as ex-officio guardians. Very few local government functions left.

The next stage in the reorganisation of local government was under the Local Government Act of 1894⁵⁶ which renamed urban and rural sanitary authorities urban and rural district councils and set up parish councils and/or parish meetings for rural parishes. In rural areas the district council and the board of guardians were merged, district councillors being also regarded as guardians and no separate elections for this office were held after the commencement of the Act. Section 20 (1) enacted that "there shall be no *ex-officio* or nominated guardians," which, *inter alia*, meant that justices of the peace were no longer, by virtue of their judicial office, members of the newly created rural district councils-cum-boards of guardians. The same also applied to the urban poor law authorities which were otherwise unaffected by the Act. The Act also reconstituted the parish as a minor local authority.

In addition, section 27 transferred the following powers from the justices out of sessions to the district council, that is to say:—

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- (a) licensing of gang masters;
- (b) granting of pawnbrokers' certificates;
- (c) licensing of dealers in game;
- (d) grant of licences for passage brokers and emigrant runners;
- (e) abolition of fairs and alteration of days for holding fairs; and
- (f) execution as the local authority of the Acts relating to petroleum and infant life protection.

The section also transferred from Quarter Sessions the powers relating to the licensing of knackers' yards.

From this date onwards the justices had very few direct local government powers. A perusal of Stone's "Justices Manual"—edition of 1909—shows that their remaining duties were all judicial in character. They were the authority which enforced obedience to the bye-laws of the local authority. Quarter or Petty Sessions could fine and, if necessary, imprison, any person guilty of infringement of bye-laws as they would fine and imprison persons found guilty of selling unsound food. The "double justice" still allowed the poor rate and the highway rate—but this was merely a formality. They could, in cases of urgency, order relief; they made orders removing persons chargeable to the poor rate to the place of the pauper's legal settlement and made orders on persons legally liable to maintain persons who were in receipt of domiciliary or institutional relief.

Two powers remained which, perhaps, could be defined as administrative. Quarter Sessions appointed annually from among their number a few justices to form a Prison Visiting Committee and they also appointed visitors to the licensed asylums in their area. But the administration of both these types of institutions were chiefly in other hands. Prisons were administered by the Home Secretary and mental hospitals were managed in the main by the councils of counties and county boroughs.

The last quarter of a century has scarcely affected the justices' direct functions in regard to local government. The meaning of the term "administration" has been widened, as is shown, by the Rating and Valuation Act, 1925.⁵⁷ This Act formally released the local authorities from their centuries-old subordination to any two of His Majesty's justices of the peace for the respective county, riding or liberty, whereby the local authority had to submit its rate for the approval of the justices. It must be added that for the last hundred years this Act had been but a formality.

Justices of the peace have now no direct administrative local government functions remaining. Some of the duties they now perform could easily be abolished. An example of this is the making of poor law orders of removal. However, here the problem is more than abolishing a "rubber-stamp"; the whole question of the desirability and utility of settlement and removal is involved. The problem has been rendered more acute since the Poor Law Act of 1930⁵⁸ widened the basis of chargeability.

But the justices as a court of appeal have a great many matters referred to them which are not strictly judicial, e.g., whether street works are reasonable under Private Street Works Act, 1892,⁵⁹ whether closet accommodation is sufficient, etc.

Since the issue of the Report of the Committee on Ministers' Powers in 1932 there would appear to be a slight tendency of modern legislation to add to the administrative functions of the justices. (See: The Betting and Lotteries Act, 1934,⁶⁰ *re* the grant of licences authorising the provision of better facilities on racing tracks; the Public Health Act, 1936, section 290, *re* appeals by owners against notices by local authorities requiring the execution of works.)

NOTES.

¹ Commission of the Peace (1754), from Holdsworth's History of English Law—Volume I—Appendix.

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² First by 14 Elizabeth, c. 5 (1572), as quoted in English Economic History—Select Documents.

³ First by 2 & 3 Philip and Mary, c. 8 (1555).

⁴ 9 George I, c. 7.

⁵ 22 George III, c. 33 (Gilbert's Act).

⁶ 35 George III, c. 101.

⁷ 36 George III, c. 23.

⁸ S. and B. Webb—English Local Government—Volume I—The Parish.

⁹ Quoted by Webb—English Local Government—Volume II—The County.

¹⁰ 3 & 4 William and Mary, c. 12.

¹¹ S. and B. Webb—English Local Government—Volume II—The County.

¹² S. and B. Webb—English Local Government—Volume II—The County.

¹³ 12 George II, c. 29.

¹⁴ 9 George III, c. 20.

¹⁵ 52 George III, c. 110.

¹⁶ S. and B. Webb—English Local Government—Volume II—The County.

¹⁷ 9 George IV, c. 61.

¹⁸ 11 George IV and 1 William IV, c. 64.

¹⁹ 1 & 2 William IV, c. 20.

²⁰ 3 & 4 William IV, c. 90.

²¹ 3 & 4 William IV, c. 103.

²² 42 George IV, c. 73.

²³ 5 & 6 William IV, c. 50.

²⁴ S. and B. Webb—The Story of the King's Highway.

²⁵ 5 & 6 William IV, c. 38.

²⁶ 9 George IV, c. 40.

²⁷ 4 George IV, c. 64.

²⁸ 5 & 6 William IV, c. 38.

²⁹ 5 & 6 William IV, c. 50.

³⁰ Burn (1844 Edition), Article on "Bridges."

³¹ 25 & 26 Victoria, c. 61.

³² 21 & 22 Victoria, c. 97.

³³ 7 & 8 Victoria, c. 91.

³⁴ S. and B. Webb. The Story of the King's Highway.

³⁵ 2 & 3 Victoria, c. 93.

³⁶ 10 George IV, c. 4.

³⁷ 5 & 6 William IV, c. 76.

³⁸ 19 & 20 Victoria, c. 60.

³⁹ Jenks—Outline of English Local Government.

⁴⁰ 5 & 6 William IV, c. 76.

⁴¹ 11 & 12 Victoria, c. 63.

⁴² Clarke—Local Government of the United Kingdom.

⁴³ 21 & 22 Victoria, c. 97.

⁴⁴ 26 & 27 Victoria, c. 17.

⁴⁵ 33 & 34 Victoria, c. 75.

⁴⁶ 34 & 35 Victoria, c. 70.

⁴⁷ 35 & 36 Victoria, c. 79.

⁴⁸ 38 & 39 Victoria, c. 54.

⁴⁹ 38 & 39 Victoria, c. 36.

⁵⁰ 38 & 39 Victoria, c. 63.

⁵¹ 38 & 39 Victoria, c. 89.

⁵² 40 & 41 Victoria, c. 21.

⁵³ 41 & 42 Victoria, c. 77.

⁵⁴ 51 & 52 Victoria, c. 41.

⁵⁵ *Ibid.*, section 3.

⁵⁶ 56 & 57 Victoria, c. 73.

⁵⁷ 15 & 16 George V, c. 90.

⁵⁸ 20 George V, c. 17.

⁵⁹ 55 & 56 Victoria, c. 57.

⁶⁰ 24 & 25 George V, c. 58.

⁶¹ 26 George V and Edward VIII, c. 49.

THE COLLECTION AND DISTRIBUTION OF INFORMATION

By G. E. MILWARD, M.C.

ONLY a few years ago industry did not need to sell, buyers came to the factory gate and craved permission to buy. At the same period, research workers

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collecting information were collecting for the benefit of a very few, all of whom were in constant touch with them. The distribution of their research or of information presented no problem because it was collected from them.

Conditions have now altered considerably, both in industry, where high-pressure salesmanship has, in face of intense competition, taken the place of sales diffidence, and on the information side where there are thousands who do not know where to find what they want. Each year hundreds more technical books are poured out and thousands of technical papers, whose classification presents increasingly difficult problems as all routine becomes more specialised.

There is no need to apportion the blame for these conditions, which are partly caused by the development of machinery and speed, partly by competition which demands a fining down of costs, but largely by the spread of free education and an increase in the number of persons intellectually fitted to take advantage of information or research whose interest was previously confined to a very few.

My first premise in this argument is that *sources of information are increasing each year more or less in proportion to the numbers of companies, departments or individuals engaged in the hunt for information.*

This subject—the collection and distribution of information—represents two quite separate functions or interests, from the human or personnel point of view demands very different qualities on the part of the officials responsible.

Most men and women are naturally endowed with the collecting instinct in some form or other, whether of birds' eggs, stamps, money, titles, or merely information. Whatever your collection, knowledge of species and sources is a necessity. It seems most necessary that the librarian of a chemical library should himself be a chemist, in order that he may be qualified for success in hunting for valuable and technical information. The power of differentiating between the valueless and the valuable seems almost a necessity to the avoidance of piling up waste paper.

It is not always appreciated that success in collection develops a compensating natural instinct or quality, that of jealously guarding the secrets of a collection. That, in fact, the good collector is seldom a good distributor. The work of a librarian in particular is too often that of custodianship. It is mighty hard to experience the annoying and immoral habits of those who borrow information, who deface or lose books, who treat papers, of which further copies are not obtainable, as valueless. Who deny having received a missing volume and are surprised when it turns up under some other papers—weeks overdue. Can you blame the librarian for hanging on to his more precious goods, fobbing off the second-rate to people who behave in second-rate manner?

Assuming that funds permit, it appears logical that an information library be divided into two, a reference library to satisfy custodianship and a lending library containing copies of the whole reference library for outside circulation. A reference library by itself is of value only to local inhabitants and interests to-day are no longer local or parochial.

On the collection of information little further need be said. On its distribution it has been suggested that the experience of the Management Library in developing a distribution service of information throughout the world may be interesting.

When the Management Library was started, we endeavoured to classify information by an elaborate card system analysed by those subjects on which some ninety companies themselves considered that they required information.

Information may be discovered through various media, from word of mouth to statistical machinery. Both in industry and the services it is increasingly realised that one department often possesses information, knowledge of which might prove invaluable to other departments. A complicated system of publication by references is seldom popularly used.

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In the first instance, the onus of making an inquiry was left to the member companies who, not realising all that they wanted, only asked for information on pressing or urgent matters. At this period the Library was little used. We had a card index, whose contents were known only to ourselves, a singularly illogical arrangement if we were to carry out our intentions. The index was discarded and reviews were substituted, published monthly.

The subjects we cover are technical and we made an original mistake in getting our reviews written by technicians who were inclined to write two pages about a book, often quarrelling with the author on technical matters. The reviews were too long and were not read. We gave that up and set out to fill a different function, to outline the author's chapter headings, to evaluate new contributions to knowledge, to indicate the actual departments in industry in which the book could be of value, or to state as politely as possible that the value was non-existent.

After six months of this experiment, we circularised some 200 companies, stating that these reviews would in future only be sent to those companies supplying prepaid self-addressed envelopes. This, largely to find out if the members approved of the new technique. The response was amazing, 100 per cent. sent in their envelopes, of all colours and sizes.

You will note that we had successfully shelved the actual recommendation of a book on a given problem by putting members in a position to select for themselves, had also covered a further point, that of giving to business men the knowledge that by reading the reviews they are automatically kept up to date with any new publication which contributes useful information for their particular jobs, thereby turning an unpopular subject which business men studied in emergency and neglected at other times, into a field of constant interest.

These points seem important.

That your distribution scheme should leave selection to the individual, while giving him the *whole* field from which to choose. It seems that distribution must be regular, monthly or quarterly, and must, annually or biannually, be followed by a cumulative record of all periodical issues or reviews, subject indexed by contents. At present we are issuing such a Guide annually. To prevent the publication from becoming unwieldy we omit each year from the review section all publications which appear to have gone out of date, keeping the reference in the subject index. It is important to keep this reference going, because interest may return to a subject which is at present quite out of fashion and demand. Such index references take up little space, give a reference to the book numbers and mean that out of dates are shelved only, not lost.

We have used colours extensively to indicate the various sections on which information is available. A different coloured paper is used in the Guide for each main interest or function—production, distribution, accountancy, legal departments, psychology, economics. The colour remains the same throughout our system, so that the production man has a green detailed list or catalogue and a section on green paper in the Guide. The extra cost is small, is exceeded by utility value.

One further point about the dissemination of information, reviews are written as lightly as is possible in keeping with the subject handled by the book. Members coming in often express appreciation of such levity and no complaint has yet been recorded. This "coming in" is of course of enormous value in enabling an information department such as the library to keep in touch with the people it serves. Members describe their problems and needs, thereby assisting very considerably the knowledge of what medicine to hunt in new books. We are kept in touch with our market accidentally by visits and deliberately in another way, which space does not permit me to describe.

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Finally, then, the main essentials to ensure that an information department is used seem to be:—

- (1) That the head of the department knows his subject intimately, that he keeps in touch with all developments.
- (2) That he puts out at regular intervals analyses or précis of new additions, avoiding the dry-as-dust or academic technique of phraseology.
- (3) That both past and present résumés be republished at regular intervals.

A parallel library to ours may shortly be established in America. In the meantime, we have review members in all industrial countries, with two exceptions, in addition to some 600 British members who borrow books, and the fact that these subscribers come to us offers some grounds for supposing that our service is becoming increasingly important, as publishers become increasingly prolific.

I apologise for having referred to only one library. To avoid a theoretical dissertation I have confined my talk to facts, to methods actually in use, which seem now to be proved in value. I have omitted all detail other than that which seems to have a bearing on principle.

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Metropolitan Man. By Robert Sinclair. (George Allen & Unwin, Ltd.) 10s. 6d.

THIS book is a salutary attack on complacency, but it defeats its own ends by the blackness of the picture which it portrays. After the catalogue of disease, death and stupidity, of administrative chaos in English towns and muddle in English business, the reader begins to think that the problem is beyond solving and things must just be left to work themselves out, or else rebels and cries: "Things aren't half as bad as Mr. Sinclair makes out." The great cities have always attracted the best and the worst elements of the nation.

The book is really an indictment of *laissez faire*, but like all such works it is far better at pointing out what is wrong than at suggesting how to put things right. And those struggling with practical problems of administration and conflicting interests will find little to help them here. Mr. Sinclair also seems to think that the solutions are obvious. That people can honestly differ from him and from each other as to the methods to be used never occurs to him.

The problems of London are the problems of England and cannot be separately solved. Do we wish for an urban and trading civilisation with its high standard of comfort and mass standards of thought and taste or an agricultural civilisation with its hard, lonely but often satisfying life founded on the family and the individual? Until we have made up our minds on these subjects all our solutions can be only partial. A people who prefer to make large hoards of tinned foods in preparation for war instead of developing their own land are unlikely to care for an agricultural civilisation. Nor do they remember the fact that no urban civilisation has ever survived.

Meanwhile problems are solved partially and incompletely, and often rightly so, for new problems arise out of unforeseen circumstances and the old solutions are no longer wanted. As the saying is, "If you leave letters unanswered long enough, they answer themselves."

In some cases Mr. Sinclair's *sæva indignatio* outruns his discretion, as for example, when he is complaining about the failure of local authorities to exercise their town-planning powers. "Town-planning legislation in England was born in 1909; twenty-five years later the total area in the county of London for which the authorities had finally approved town-planning schemes (apart from a measure preserving Hampstead Heath) was twenty acres—not twenty square miles out of the hundred and twenty square miles of the inner county, but twenty rustic acres; all other proposals were still in the proposal stage. To-day the whole county of London has been 'declared' to be town-planned; but the effect is to petrify the confusion and not to abolish it."

What Mr. Sinclair does not say is that it was not until the 1st April, 1933, that local authorities were empowered to prepare town-planning schemes relating to built-up areas.

Even Mr. Sinclair's aphorisms have an embittered tang about them. For example: "One of the principal Metropolitan industries is the defiling of outer London"; "the working human is as much regimented and to as little purpose

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as the falling snowflake"; and "a reduction of working hours is a notorious means of increasing production."

But if Mr. Sinclair's book makes us ask where we are going and how we are going there, and with what waste of human life and hope and effort, it will be well worth while.

C. K. W.

Great Trade Routes. A sentimental journey. By Ford Madox Ford, with drawings by Biala. Pp. 439. (Allen & Unwin, Ltd.) 12s. 6d. net.

FORD MADOX FORD not only declares war—he makes it—on mass production; mass politics and nearly all the ideals of modern civilisation. It should be added that the heaviest artillery is reserved for the "put them against a wall" politics, but others who sin against the spirit—and this includes most of us—are not immune.

Fortunately, Madox Ford has the wit and humour to avoid the aridity which so frequently disables those who generate intensity on such matters—he remains amusing, discursive and blandly ironic throughout. The following is a fair summary of the general outlook:—

"Please understand, I am not a philanthropist, I am a moralist very amateur. I have no noble faith and no glorious aims. I desire simply to see things in this world—its public affairs—conducted in a shipshape fashion."

X. Y. Z.

International Survey of Social Services (1933). Vol. 2. (I.L.O., Geneva, 1936.) 10s. 6d.
To collect reliable data about the social insurance and public assistance services of thirty-eight countries scattered over all the continents of the world is a considerable undertaking, even for the I.L.O. Not only is the material difficult to obtain in comparable form, it is even difficult to get in any form at all from some governments. That is why Volume II of this Survey was only ready for publication three years after the year to which the facts and figures relate. The first volume was issued from Geneva about a year ago and was full of good matter. It covered the most important countries, including Great Britain and Germany, whose equipment of collective social services is the most advanced in the world. This second volume is necessarily less interesting, covering, as it does, nineteen countries with less-developed schemes. But, even in this list, Austria, Poland and Switzerland have a good deal to show. Taken together the two I.L.O. volumes are a mine of information; they will be of great service as books of reference to all students of social science. Indeed, the reports ought to be brought up to date periodically and we hope that the I.L.O. are not too weary with well-doing to engage at once upon a new survey for 1937 or 1938. And there will be a special reason for this, because now for the first time the great democracy of the United States of America is making a worthy contribution in the field of social legislation. President Roosevelt's Social Security Act is, this year, getting into its stride, providing, among other things, for the largest experiments in social insurance against old age and unemployment that have ever been launched. No less than 26,000,000 wage and salary earners are to be assured against some of the chief risks of life.

In conclusion a word of criticism, or perhaps of confession:—The absence of any key to the currencies of the different nations is very bewildering in these comparative studies. Why not include a table of equivalent values? Maybe the gifted young men in Geneva can talk as glibly in zlotys as in francs or shillings, but not so the insular and ignorant British reader.

R. C. D.

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Essays in the Theory of Employment. By Joan Robinson. (Macmillan.) 8s. 6d.

This book may be welcomed as the first publication in book form of attempts to develop the far-reaching new ideas introduced into economic theory last year by Mr. J. M. Keynes in his *General Theory of Employment, Interest and Money*. The fertility and penetration of that pioneer work calls for constructive criticism and development.

Mrs. Robinson's present work is of this character. She has bound together a number of papers, linked up by a unity of thought on these lines, but of very different degrees of abstraction and difficulty.

Part I consists of four papers mainly concerned with problems of wage-levels. There are reasons for believing that the factors governing wages, like those governing rates of interest, embody a conventional element, unsuitable for abstract analysis; and the recognition of this is an interesting feature of Mrs. Robinson's treatment of the subject. The first essay in particular is useful and suggestive.

Part II deals in the main with long-run phenomena. There are serious theoretical difficulties in relating long-run concepts to Mr. Keynes' theory of liquidity-preference; and the general reader may find this part of the book hard going.

Part III, consisting of two essays on the foreign exchanges and international trade, is of general interest, and helps to clear up ideas on a subject in which confusion of thought is still deplorably prevalent.

Part IV is on a much more popular level. The essay on "Indeterminacy" is rather slight—there is much more to be said on this subject. The Old Adam of economic determinism dies hard, based as it is on a false analogy with the physical sciences whose successes dominated European thought when 19th century economics was in the formative stage. "An Economist's Sermon"—the genitive is perhaps subjective—is pleasant reading, and wholesome for jaded administrators. The book closes with an illuminating and wholly admirable review of a recent book on Marxist economics.

H. T.

The Year Book of Education, 1937. Pp. 890 + xx. (Published, in Association with the University of London Institute of Education, by Evans Brothers, Ltd.) 35s. net.

THE editors of this year-book are not unmindful of the part played—rightly and necessarily played—by rules and regulations, statutes, statistics, texts and technique in the world of education; and they continue to cater manfully for these needs. Their special virtue, however, lies in their presentation of education in its relations to the turbulent and dangerously changing economic social and political world in which we live.

The present volume is particularly interesting in its treatment of the education of the adolescent and the adult. Thus, Dr. Reinhold Schairer, in his survey of Education and the Social Crisis, speaks of the attitude of youth.

"Youth craves enthusiasm and devotion to a great aim or ideal. Anyone who makes the right demand from youth finds it ready for any service and any sacrifice. Good work in school and examination results, or prospects of better posts in life alone, no longer satisfy this craving: such values are losing their attraction."

"It is being discovered that mentality, character and will-power are valuable bases of the human being; but that by themselves alone they cannot accomplish the great tasks of to-day. These values will, again, like a crystal, group themselves about the centre of a genuine reasoning power."

"With the restoration of the dignity of thought will return also the conceptions of freedom and liberty to their right values."

Book Notes

This year-book has already found an important place on the work-table of practising educationists, administrators and teachers. Many engaged in other spheres will welcome its width of outlook. The following headings indicate its scope:—

- Part One.—Statistics in the United Kingdom, the Dominions and Foreign Countries.
- Part Two.—Statistical Summaries of the Educational Systems of Foreign Countries.
- Part Three.—Survey of Finance in the United Kingdom.
- Part Four.—Legal Notes.
- Part Five.—The Education of the Adolescent in the Dominions and the U.S.A.
- Part Six.—Survey of Educational Trusts in the United Kingdom, the Dominions and U.S.A.
- Part Seven.—Two Problems of Education in the United Kingdom.
 - Section One.—The Junior School in England and Wales.
 - Section Two.—The "C" Pupil in Scotland.
- Part Eight.—Educational Policy in the British Colonial Empire.
- Part Nine.—Education in India.
- Part Ten.—Survey of Education in Islamic Countries, Latin America and the Far East.
- Part Eleven.—Current Educational Problems in Europe.
 - Section One.—Education and the Social Crisis.
 - Section Two.—Educational Systems in the U.S.S.R., Italy, Bulgaria and Hungary.
- Part Twelve.—Educational Influence of Contact with Foreign Countries and Peoples.
- Part Thirteen.—Outline of Legal Education.

X. X.

The League and the Future of the Collective System.¹ By various authors. Pp. 232. (G. Allen & Unwin, Ltd.) 5s. 6d. net.

DEFEAT, unwelcome alike to individuals, nations, societies and institutions, nevertheless is probably more favourable to the perception of truth than is victory. Under the shadow of defeat, the Geneva Institute of International Relations in August, 1936, set about the task of taking stock—with, one is persuaded, a greater sense of realities than pervaded the victory celebrations of Rome.

The aim of the meeting was to provide a focus for a wide divergence of ideas

¹ PROBLEMS OF PEACE. Eleventh Series. Lectures delivered at the Geneva Institute of International Relations, August, 1936:—*A New Start with the League of Nations*, by the Rt. Hon. Herbert S. Morrison, M.P. *A French View of the League of Nations*, by Gaston Riou, Secretary of the Commission on Foreign Affairs of the French Chamber of Deputies. *Central Europe and the Future of the Collective System*, by Stephen Osasky, Minister of Czechoslovakia in Paris. *The Third Reich and the Future of the Collective System*, by Fritz Berber, Director of the Research Department, Hochschule für Politik, Berlin. *The Soviet Union in International Affairs*, by Andrew Rothstein, Geneva Correspondent for Tars News Agency. *The United States of America and Sanctions*, by Phillips Bradley, Associate Professor of Political Science, Amherst College, Massachusetts. *The International Labour Organisation and the Future of the Collective System*, by E. J. Phelan. *Economic Nationalism as a Necessary Contribution to a World Collective System*, by R. J. P. Mortished, of the International Labour Office. *International Economic Action and Peace*, by Otto Nathan, Associate Professor of Economics in the University of New York. *The Future of Imperialism*, by Leonard Barnes, Lecturer in Education in the University of Liverpool. *Reform of the League*, by Pitman B. Potter, Professor of International Administration in the Graduates' Institute of International Studies, Geneva. *Reform of the Covenant is Not Enough*, by Clarence K. Streit, Geneva Correspondent for the *New York Times*.

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the outlook—and in this it succeeded. But, no matter how remote the starting point of the various writers, the number and variety of problems recognised by all as of first-rate importance is significant, even though the proposed solutions have little in common. For instance, it is now almost common ground that between the internal economic arrangements of a country and its external political relations, there is of necessity a causal link.

Another general fact of considerable importance is the widely recognised fact that whereas in 1914 international relations were the preserve of a small class, each member of which confidently counted on the backing of a united nation; to-day public opinion is supreme, it will be served, it must be studied, it may be hoodwinked—but only at the peril of the ruler.

The third idea found everywhere in these papers is that the provisions of international law can no more afford to be static than can national or municipal law—and the legislative and administrative machinery must possess a similar flexibility and responsiveness to changing human needs. And so on one might go discovering common grounds.

As to the differences, the most interesting are those between M. Gaston Rio and Dr. Fritz Berber; The Rt. Hon. Herbert Morrison, M.P., and R. J. P. Mortished; while E. J. Phelan's vigorous reply to Prof. Sir Alfred Zimmern's "The League of Nations and the Rule of Law" has a stimulus all its own.

To readers in this country, who find grounds for pessimism in America's absence from the League, Prof. Bradley presents a well-documented reply that America adopted and maintained a leading policy in the measures against Italian aggression in Abyssinia and that the centre of weakness was not to be found in U.S.A. but among the European members of the League.

A most interesting and useful volume.

X. Y. Z.

The Role of Politics in Social Change. By Professor Charles E. Merriam. Pp. 143. (Oxford University Press, 1936.) 12s. 6d. net.

PROFESSOR MERRIAM makes a convincing plea in this new volume (a worthy successor to his thoughtful analysis of "Political Power" noticed in these columns in April, 1935) for the reinstatement of political (and by implication, administrative) effort as a factor of major importance in social life.

Subordinated by classical economic theory on the one hand and derided by Marxian critics as an instrument of class rule on the other hand, the State, he contends, has not had due recognition as a worthy instrument of social reform. More recently, the doctrine of the totalitarian State has unduly exalted State functions and has again distorted the political perspective.

What therefore should the rôle of Government be in social affairs? What contribution can political forces make to the grand work of controlling and organising human society?

These questions are very pertinent at the present moment, and Professor Merriam's timely volume is a powerful statement of the case for a more intelligent development of political and administrative resources in shaping social controls.

In attempting the task of "putting politics in its place" he performs at the same time the equally necessary task of putting economics in its place. The attempt to solve in terms of old-time economics, the basic troubles of the present age—"scientific and technological, territorial-racial, socio-political, philosophical-psychological," he characterises as "the supreme misunderstanding of our time."

Solutions must be sought rather along lines of intelligent national planning in which economics will play a vital but subordinate part. Business planning, by its nature, must be limited where State planning is not, and Professor Merriam's analysis of the nature of national planning should do much to shake the confidence

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of any who retain an obscurantist faith in the efficacy of the "hidden hand" in promoting national well-being.

Professor Merriam has earned the gratitude of all students of public administration who wish to see their subject against a broad philosophical background which will at once confirm their faith in the value of their daily task, and at the same time be fruitful of suggestions for further advance. It is to be hoped that the book will be widely studied with the care it so well deserves.

F. R. C.

State Government and Administration in the United States. By Arthur W. Bromage, Assistant Professor of Political Science, University of Michigan. Pp. 678. (Harper & Brothers, 1936, New York and London, 1936.) \$3.50.

THIS useful survey of a field of American public life little known to British readers is intended as a text-book for those college courses in Government which exist on so large a scale in the U.S.A. but are by comparison almost unheard of in this country.

It is planned on a comprehensive scale and is factual and dispassionate as American writers so well know how to be. The author's labour in compilation has obviously been considerable and it is a thankless task to urge that it should have been greater. But even the necessarily brief outline treatment which a college text demands can hardly excuse the superficial manner in which some vitally important topics are handled. It is to be hoped that the future editions in which the volume will no doubt appear, will provide a more adequate account of topics such as "The Issue of State and Federal Power" (reduced to one illustration drawn in two and a quarter pages from the Guffey Coal Act of 1935). "Social Security" in the 1936 text-book is surely worth more than three pages and the "Functional Tasks of the States" obviously cannot get more than a very sketchy treatment in a bare 30 pages. "The People in State and Local Governments" (Chapter XXIII) is barely redeemed from a triviality which the pioneer work of Americans in this field (*e.g.*, John Dewey, Walter Lippmann) makes the less excusable.

A more fundamental criticism of the book is that it provides no clear distinction between the scope of work of an active State Government such as that of New York, Massachusetts or Wisconsin and that of a smaller and relatively backward Southern or Western State. There may be obvious difficulties in handling such a discussion in a text-book of this type, especially in view of State patriotisms, but without it the work is apt to lack perspective.

Some of these criticisms may be met by reference to the useful lists of books for further reading given after each chapter, but few college students will have time to get through a tenth of this additional material after mastering Professor Bromage's 678 pages.

F. R. C.

Socialism for the U.S.A. After the New Deal, What? By Norman Thomas. Pp. ix + 244. (New York; Macmillan, 1936.) 10s.

ALTHOUGH Mr. Thomas fears that the answer may be "Fascism," the one he hopes to be able to give is, of course, "Socialism," for as the socialist candidate for the Presidency of the United States, his opinions are well known.

The successive disasters which have afflicted the American people in recent years and the hastily improvised plans of President Franklin Roosevelt to deal with them provide Mr. Thomas with ample materials for his contention that economic and social reforms have colossal tasks yet to accomplish in the richest country in the world. He condemns President Roosevelt for his "essential loyalty to the gods of the profit system . . . and of nationalism," denouncing especially

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the silver purchase policy, the torpedoing of the London Economic Conference, the growth of militarism in the United States of America, and the failure to enforce the machinery and principles of the civil service in manning the new governmental agencies set up to plan the New Deal.

The socialist argument naturally is not novel, but it is presented here with dignity and ability, and frequently with an arresting phrase to clinch the arguments. Believing that "the attempt to manage the machinery of abundance under the economy of scarcity is the taproot of our social ills," Mr. Thomas defends a planned social economy and sees the rise of a farmer-labour party as the most promising political agency to achieve it. He is under no illusions about the difficulty of the task, for he has already fought too many political battles in what is still one of the most unpopular causes in America, even amongst organised labour and trade unionist circles. The book is well worth reading for its reflective and sober review of American economic and political life from an angle less seldom taken with such skill in the political literature of the United States of America than it is in this country.

F. R. C.

Institute Notes and News

Annual General Meeting.—The Annual General Meeting of the Institute will be held at Montagu House (Ministry of Labour) at 6 p.m. on Friday, 30th April, and members are urged to make a point of attending. The proceedings are not likely to be exciting, but it is an encouragement to the officers and the members of Council to find the members of the Institute taking sufficient interest in the management of its affairs to attend the annual business meeting. This is much more satisfactory than the all-too-common method of expressing confidence by staying away.

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London Winter Conference.—There was a good attendance at the London Winter Conference, particularly on the Sunday morning; and it was pleasant to have a few members from the provinces present, both at the formal sessions and at the social functions. The London members would welcome a much larger attendance of friends from the Regional Groups on these occasions.

The discussion of the papers presented by Mr. Sydney Larkin, Mr. J. H. Salmon and Mr. C. H. Tucker on "Office Conditions in Relation to Efficiency," seemed to reveal a general opinion that conditions in Government and Local Government offices were rarely desperately bad, but rarely exceedingly good. The point which came in for most criticism was that of artificial lighting. Laments were expressed that the character of the buildings and the allocation of space were often such that working in natural light was impracticable (though a visitor from Australia grimly remarked that during his six weeks in London he had not yet seen any natural light fit to work in), and it was urged that it was imperative to give more attention to questions of illumination than they had yet received.

Ventilation also came in for a good deal of discussion, and the vexed question of the opening of windows was itself ventilated. One speaker held out hopes of the general introduction of air-conditioning, but as he also talked of the possibility of the adoption of the use of roller-skates by indoor messengers, it is to be feared that he was regarded on these matters as a visionary.

The subject of breaks in routine work was another of the topics pursued in the discussion, and it was evident that on this subject a good deal of useful experience is being collected.

The discussion did something to dispel the idea, evidently held by some of those present, that the staff of the Office of Works are arbitrary and unsympathetic in their attention to the accommodation requirements of their colleagues in the various Departments. One member, speaking with some authority, said that he had always found the Office of Works helpful when the requirements of the other Department were known, but that sometimes Departments failed to consult the expert early enough.

The set of six papers, read on the Sunday morning, by public servants whose duties are "off the beaten track," proved to be full of interest, and they provided not a little entertainment as well as information for those whose official lives run along the main roads of the service.

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Summer Conference, 1937.—It has been arranged that the next Summer Conference of the Institute will be held at Cambridge, at Gonville and Caius College (for short called " Keys"), from 2nd July to 5th July; and members are asked to endeavour to adjust their leave arrangements and domestic affairs so that there may be a good attendance on this occasion. The Summer Conference of the Institute is invariably a delightful and stimulating function, and the Council would like more of the members to participate in this outstanding event of the year.

There will be the usual social attractions, including a trip by punts and canoes on the Sunday to Grantchester, and on the Saturday there will be a business meeting which, it is hoped, will be well attended by representatives of the Regional Groups as well as by London members, scattered provincial members, and a few perhaps from overseas.

The programme of the papers and discussions is as follows:—

THE VALUE OF ECONOMIC TRAINING FOR PUBLIC ADMINISTRATION:

Paper by Professor Arnold Plant, B.Sc. (Econ.), B.Com. (Sir Ernest Cassel, Professor of Commerce—with special reference to business administration—in the University of London).

MEASUREMENT OF STAFF OUTPUT IN CLERICAL WORK:

Papers by Miss Myra Curtis (Principal, Post Office, London);

Major L. Urwick, O.B.E., M.C., M.A. (formerly Director of the International Management Institute, Geneva);

Dr. Marion A. Bills, Assistant Secretary, Aetna Life Insurance Company of Hartford, Connecticut, U.S.A.

THE USE OF THE INTERVIEW IN RECRUITMENT AND PROMOTION:

Papers by Mrs. Mary Agnes Hamilton (a Governor of the British Broadcasting Corporation);

Mrs. W. Raphael, B.Sc. (National Institute of Industrial Psychology);

Mr. A. L. N. D. Houghton (General Secretary of the Association of Officers of Taxes);

Miss J. M. Robertson, Lady Superintendent, British Thomson-Houston Co., Ltd., Rugby;

Mr. F. Steadman, Chief Financial Officer, Surrey County Council.

PROBLEMS OF A LOCAL AUTHORITY IN AN INDUSTRIALLY DISTRESSED AREA:

Papers by Mr. D. N. Chester, M.A. (Admin.) (formerly of Manchester Corporation, now Lecturer in Public Administration, Manchester University)—Lancashire;

Mr. J. S. Coventry, D.P.A. (City Collector's Department, Glasgow Corporation)—Glasgow;

Mr. H. E. R. Highton, M.A. (Glas.) (Lecturer in Economics, Armstrong College, Durham University)—Tyneside;

Mr. S. C. Parris, B.Sc. (Econ.) Lond. (Lecturer in Economics and Political Science, University College, Cardiff)—South Wales.

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New Regional Groups.—Two new Regional Groups of the Institute have been formed—one for Northern Ireland, with headquarters at Belfast, and the other for Southern Rhodesia, with headquarters at Salisbury. The initial steps in Northern Ireland have been largely due to the encouragement given by Sir Wilfred Spender, Secretary of the Ministry of Finance, and Mr. John Archer, Town Clerk of Belfast. Northern Ireland is clearly a field in which co-operation in study and in exchange of experience, between Central Government and Local Government officials, will prove helpful to the public service, and members of the Institute elsewhere will wish the new Group great success. Mr. Archer has accepted the

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post of Chairman and the Secretaries are Mr. Alex. S. Merrick, Town Clerk's Department, and Mr. Eric W. Scales, Ministry of Home Affairs.

The formation of a Regional Group in Southern Rhodesia is another evidence of the interest taken in the Institute and its work by officials overseas whose duties bring them face to face with both older and newer problems of administration. The calling of a meeting in Salisbury by Mr. H. Holden, Public Services Board, and Mr. N. R. Bertram, of the Treasury, Salisbury, who have been members of the Institute for some time, met with an encouraging response and it was decided to proceed with the formation of a Regional Group, which, even if relatively small in numbers, might be a centre of useful discussion and stimulus. The office of Chairman has been accepted by Mr. H. Holden and that of Secretary by Mr. C. E. M. Greenfield. Again, the new Group will have the good wishes of members of the Institute throughout the Empire.

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Discussion Circles.—A suggestion having been received from one of the Associates of the Institute that it would be desirable to form discussion circles at which the junior members of the Institute might meet one another (and also more senior members if they cared to attend and assist) for discussion of administrative subjects in an atmosphere less formal than that of the full-dress lectures, the London members were canvassed on the proposal. As a result, one such circle has been formed and has held several meetings at County Hall, the headquarters of the London County Council, with every promise of success. It is hoped that one or two more circles of this kind may be formed in London and that the idea may be considered by the Regional Groups.

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Research.—The interim report of the Research Group of the Institute on *Reports on Staff*, which was distributed to members with the last issue of the Journal, has attracted much attention (including that of *Punch*) and a considerable sale of copies has taken place.

Three of the researches which have been in hand have resulted in reports which run to book length, and in each case arrangements have been made for issue by a publisher in the near future. Mr. T. S. Simey's study of the Social Services will be published by the Oxford University Press; that by Mr. Terence O'Brien on the newer types of Public Service Corporations will be published by Messrs. Allen & Unwin; and Miss S. M. Ranken Hayes's study of Voluntary Agencies in relation to public services will be published by Messrs. William Hodge & Co. It is regretted that in the case of books of this kind it will not be possible to supply members with free copies.

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Personal.—Sir Henry Bunbury has retired from the public service, where his last post was that of Comptroller and Accountant-General of the Post Office. With Lady Bunbury he has gone on a visit to the United States, where he will confer with the American friends of the Institute.

Mr. H. M. Hooke, who recently retired from his position as head of the Parliamentary Department of the London County Council, has generously accepted a suggestion made to him that he should act as Honorary Organising Secretary of the Institute, and he has been formally appointed by the Council. This will be an additional post at headquarters.

Professor F. A. Bland, of Sydney University, was in England from before Christmas till the end of February, and his visit has been a very welcome one for the members of the Institute with whom it has brought him into contact.

Mr. D. McVey, who has been honorary secretary of the New South Wales Group since its formation two years or so ago, has been appointed Second Assistant

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Commissioner, Commonwealth Public Service Board, of the Federal Public Service Commission and will be removing to Canberra. Members of the Institute will tender him hearty congratulations, mingled with sincere gratitude and regret on his vacating his office in the New South Wales Group.

A letter has been received from the South Australian Regional Group expressing appreciation of the welcome accorded to Mr. J. P. Burnside, Deputy Chairman of the Group, on his recent visit to England. This is a very pleasant courtesy.

